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Regulations

TITLE 6—AGRICULTURAL CREDIT Chapter II—Production and Marketing Administration

REDESIGNATION OF CHAPTERS

Pursuant to the authority vested in me as Secretary of Agriculture; *It is hereby ordered, That:*

The titles of Chapters II and III of Title 6, Agricultural Credit, Code of Federal Regulations, be, and the same hereby are, redesignated as "Production and Marketing Administration" and "Farm Security Administration" respectively.

The titles of Chapters I, IV, VI, VII, VIII, IX, X, XI, and XII of Title 7, Agriculture, Code of Federal Regulations, be, and the same hereby are, redesignated as "Production and Marketing Administration (Standards, Inspections, Marketing Practices)," "Production and Marketing Administration (Crop Insurance)," "Soil Conservation Service," "Production and Marketing Administration (Agricultural Adjustment)," "Production and Marketing Administration (Sugar Branch)," "Production and Marketing Administration (Marketing Agreements and Orders)," "Production and Marketing Administration (War Food Production Orders)," "Production and Marketing Administration (War Food Distribution Orders)," and "Production and Marketing Administration (Fats and Oils Branch)," respectively.

The titles of Chapters I and II of Title 9, Animals and Animal Products, Code of Federal Regulations, be, and the same hereby are, redesignated as "Bureau of Animal Industry" and "Production and Marketing Administration (Livestock Branch)," respectively.

The title of Chapter I of Title 17, Commodity and Securities Exchanges, Code of Federal Regulations, be, and the same hereby is, redesignated as "Commodity Exchange Authority (Including Commodity Exchange Commission) Department of Agriculture".

The title of Chapter IX of Title 29, Labor, Code of Federal Regulations, be, and the same hereby is, redesignated as

"Department of Agriculture (Agricultural Labor)".

(E.O. 9577, 10 F.R. 8087)

Done in Washington, D. C., this 19th day of September 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary.

[F. R. Doc. 45-17548; Filed, Sept. 19, 1945;
3:37 p. m.]

[1945 C. C. C. Soybean Bulletin 1]

PART 257—SOYBEAN LOANS AND PURCHASES

1945 SOYBEAN LOAN AND PURCHASE PROGRAM BULLETIN

The Commodity Credit Corporation (hereinafter called "Commodity") has authorized the making of loans on farm-stored soybeans and the purchase of soybeans stored in approved warehouses or delivered to designated delivery points, pursuant to these instructions. It is contemplated, however, that producers will dispose of most of their soybeans through regular trade channels rather than through this loan and purchase program. Where regular trade facilities are not available or adequate and it becomes necessary for Commodity to purchase soybeans, all such purchases for Commodity will be made by county agricultural conservation committees.

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NOTICE

1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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AUTHORITY: §§ 257.42 to 257.78, inclusive, issued under section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C. 1302).

GENERAL INSTRUCTIONS

§ 257.42 *County agricultural conservation committees.* County committees will supervise the loan and purchase program. All purchase and loan documents must be signed by a member of the county committee—purchase documents by a committeeman of the county in which the soybeans were produced, and loan documents by a committeeman of the county in which the agricultural conservation program records are kept. State and county committees shall determine or cause to be determined the quantity and grade of the soybeans to be placed under loan or purchased by the committee, and the amount of the loan or purchase. All loan and purchase docu-

ments shall be completed and approved by the county committee, which shall retain copies of all documents, *Provided, however,* That the county committee may formally designate certain employees of the county association to execute such forms on behalf of the committee. County agricultural conservation associations shall collect a service fee of 1 cent per bushel for each loan to meet the expenses incurred in the operation of the program. No service fee shall be collected from the producer in the case of purchases.

§ 257.43 *Eligible producer.* An eligible producer shall be any person, partnership, association, or corporation, producing soybeans in 1945 as landowner, landlord, or tenant.

§ 257.44 *Liens.* The soybeans placed under loan or purchased must be free and clear of all liens, or if liens exist on the soybeans, proper waivers must be obtained for each lienholder. The names of the holders of all existing liens on the soybeans, such as landlords, laborers, threshers, or mortgagees, must be listed in the space provided therefor in the chattel mortgage (C. C. C. Grain Form AA, Revised, or C. C. C. Commodity Form AA) for loans, and in the Offer of Sale (C. C. C. Soybeans Purchase Form B) for purchases. The Waiver on the Offer of Sale, or the waiver and consent to mortgage the soybeans and the payment of the proceeds of the loan and the proceeds of the sale of the soybeans solely to the producer, as contained in the mortgage, must be signed personally by all lienholders listed or by their duly authorized agents; or, if a corporation, by an officer authorized to execute such instruments. Waivers of lienholders may be executed on separate instruments if complete identification of the commodity and producer is shown. The proceeds of the loan or purchase may be made payable to the producer and/or such other person or concern as the producer may direct in the space provided on the producer's note (C. C. C. Grain Form A, Revised, or C. C. C. Commodity Form A) for loans, and on the Offer of Sale for purchases. Producers should be sure to determine whether soybeans offered for sale or as collateral for loans are covered by previous mortgages or other liens.

§ 257.45 *Regional office of Commodity Credit Corporation.* The soybean loan and purchase program will be administered by the Regional Director, Commodity Credit Corporation, 203 South La Salle Street, Chicago 4, Illinois.

LOANS

§ 257.51 *Eligible soybeans for loans.* Soybeans eligible for loans must be stored on farms and shall be of any class grading No. 4 or better with respect to factors other than moisture and having a moisture content not in excess of 14 percent, which were produced in 1945, the beneficial interest in which is in the producer and has always been in him or in a former producer whom he succeeded before the soybeans were harvested. Soybeans grading weevil, or

which are musty, sour, heating, or have any objectionable foreign odor shall not be eligible for loan. Loans will be made to eligible producers on soybeans stored on the farm in approved storage facilities, in the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin, and such other States, except those listed immediately below, as may be approved by Commodity.

Commodity will not make loans on soybeans in the following States: Alabama, Arkansas, Connecticut, Florida, Georgia, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, Oklahoma, Rhode Island, South Carolina, Texas, and Vermont.

§ 257.52 *Basic loan rates.* The basic loan rates per bushel for Class I (Yellow) and Class II (Green) soybeans containing 14 percent moisture and grading No. 2 or better, except for green damage, in accordance with U. S. Grain Standards, shall be \$2.64 per bushel.

The basic loan rate per bushel for Class III (Brown), Class IV (Black), and Class V (Mixed) soybeans, containing 14 percent moisture and grading No. 2 or better, except for green damage, in accordance with such Standards, shall be \$1.84 per bushel.

Mixtures of Classes I and II eligible soybeans which contain 5 percent (actual) or less of Classes III and IV soybeans and bicolored soybeans, either singly or in combination, shall take the applicable loan rate for Classes I and II soybeans. If more than 5 percent of Classes III and IV and bicolored soybeans, either singly or in combination, are contained in a mixture of eligible soybeans which otherwise would take the loan rate for Classes I and II soybeans, the mixture shall take the applicable loan rate for Classes III, IV, and V soybeans. Mixtures of green soybeans in Class I and yellow soybeans in Class II shall be disregarded for purposes of determining applicable loan values.

§ 257.53 *Premiums and discounts.*—(a) *Premiums.* Premiums shall be added to the basic loan rates for eligible soybeans which have a moisture content of 13½ percent rounded or less. The premium schedule follows:

Moisture	Premium per bushel
Percent	
13.2-13.7 both inclusive	\$0.01
12.8-13.2 both inclusive	.02
12.3-12.7 both inclusive	.03
11.8-12.2 both inclusive	.04
11.3-11.7 both inclusive	.05
Below 11.0-11.2 both inclusive	.06

(b) *Discounts.* Discounts from the basic loan rates shall be assessed in accordance with the attached schedule.

(c) *Foreign material and dockage.* Dockage and foreign material other than dockage, which, singly or in combination, total 2 percent or less, shall not be deducted from the gross weight of the soybeans. If the total weight of foreign material and dockage combined is in excess of 2 percent, the excess shall be deducted from the total gross weight of soybeans in the determination of the net number of bushels of soybeans. For the

purpose of this determination, dockage shall be computed in whole percents. Less than 1.0 percent actual dockage shall be disregarded and fractional percentages in excess of 1 percent shall be rounded to the next lower whole percent. Foreign material percentages shall be stated in tenths.

§ 257.54 *Date of maturity and interest rate.* Loans on eligible soybeans shall be available through January 31, 1946, and shall mature on demand but not later than April 30, 1946. All loans shall bear interest at the rate of 3 percent per annum.

§ 257.55 *Storage allowance.* In addition to the amount of the loan disbursed to the borrower a storage allowance of 7 cents per bushel for each (net) bushel of soybeans (see § 257.53 (c) above) placed under loan shall be advanced to the borrower at the time the loan is made. This storage advance shall be earned by the producer for each net bushel of soybeans, and shall not be repayable to Commodity (1) if the soybeans are delivered to Commodity on or after April 30, 1946, or (2) if, pursuant to demand by Commodity for repayment of the loan, the soybeans are delivered to Commodity prior to April 30, 1946, provided such demand for repayment was not due to any fraudulent representation on the part of the producer or to the fact that the soybeans, or any part thereof, were converted, damaged, threatened with damage, abandoned, or otherwise impaired. If, pursuant to a demand by Commodity for the repayment of the loan, or with the consent and approval of Commodity, the soybeans are delivered to Commodity prior to April 30, 1946, and the producer has not earned the 7 cents per bushel storage allowance, a storage allowance computed at the following rates shall be earned, provided the producer has not made a fraudulent representation in the chattel mortgage or in connection with the loan:

6 cents per bushel if delivered during the month of April 1946.

5 cents per bushel if delivered during the month of March 1946.

4 cents per bushel if delivered during the month of February 1946.

3 cents per bushel if delivered during the month of January 1946.

2 cents per bushel if delivered during the month of December 1945.

No storage payment shall be earned if the soybeans are delivered prior to December 1945.

A storage payment cannot be earned on a greater number of bushels than is specified in the chattel mortgage. On delivery of the collateral, any deficiencies due Commodity shall be deducted from any credits which may be due the producer from Commodity. The producer shall pay to Commodity any deficiency due Commodity. If the soybeans are redeemed, the producer is required to repay the storage advance plus accrued interest.

§ 257.56 *Storage.* Eligible storage shall consist of farm bins and granaries which are of such substantial and permanent construction, as determined by the county agricultural conservation committee, as to afford safe storage for the soybeans for a period of 1 year and afford

protection against insects, rodents, other animals, thieves, and weather. Soybeans must have been stored in the granary for a reasonable period, as determined by the county agricultural conservation committee, prior to inspection for measurement, sampling, and sealing. County agricultural conservation committees shall inspect and approve storage facilities and shall arrange for measuring, sampling, grading, and sealing the soybeans collateral in approved structures. Chattel mortgages covering soybeans stored on the farm under loan must be executed and filed in accordance with the applicable State law. Where the borrower is a tenant, the expiration date of the lease shall be given in section 1 (e) of the chattel mortgage. If the expiration date of the lease is prior to July 1, 1946, the borrower must obtain, from the owner and other interested parties, consent that the collateral may remain in the described storage structures until June 30, 1946, without any charge to Commodity other than that agreed to be paid to the borrower for storing the collateral. The consent agreement is set forth in the chattel mortgage. Each producer must designate in section 1 (b) of the chattel mortgage a shipping point reasonably convenient for the delivery of the soybeans, as determined by the county committee. A separate note and chattel mortgage must be submitted for soybeans stored on each quarter section of land.

Commodity shall accept delivery of all the producer's soybeans in the bin or bins in which all or a portion of the soybeans therein are under loan. Each delivery shall be limited to the number of bushels that was in the bin at the time the loan was made, less any amount that has been removed since the loan was made. The producer shall be given credit for the number of bushels delivered at the loan rate applicable to the grade and class of soybeans delivered. If the soybeans delivered are not of an eligible loan grade the actual market value shall be furnished by the regional director of Commodity.

§ 257.57 *Determination of quantity of soybeans.* Loans shall be made at values expressed in cents per bushel. A bushel shall be 60 pounds of soybeans free of dockage and foreign material in excess of 2 percent when determined by weight, or 1.25 cubic feet of soybeans testing 60 pounds per bushel when determined by measurement. In determining the quantity of soybeans by measurement the following adjustment shall be made, fractional pounds of the test weight being disregarded:

	Percent
For soybeans testing 60 pounds or over.....	100
For soybeans testing 59 pounds or over but less than 60.....	98
For soybeans testing 58 pounds or over but less than 59.....	97
For soybeans testing 57 pounds or over but less than 58.....	95
For soybeans testing 56 pounds or over but less than 57.....	93
For soybeans testing 55 pounds or over but less than 56.....	92
For soybeans testing 54 pounds or over but less than 55.....	90
For soybeans testing 53 pounds or over but less than 54.....	88

	Percent
For soybeans testing 52 pounds or over but less than 53.....	87
For soybeans testing 51 pounds or over but less than 52.....	85
For soybeans testing 50 pounds or over but less than 51.....	83
For soybeans testing 49 pounds or over but less than 50.....	82

§ 257.58 *Lending agency and source of loans.* A lending agency shall be any bank, cooperative marketing association, corporation, partnership, or person making loans in accordance with this bulletin, which has executed the Contract to Purchase on 1940 C. C. C. Form E. Producers may obtain loans through approved lending agencies or direct from Commodity.

§ 257.59 *Purchase of loans.* Commodity will purchase, without recourse, eligible paper held by approved lending agencies with whom Commodity has entered into a Contract to Purchase. Notes held by lending agencies must be tendered to Commodity for immediate or deferred purchase within 10 days of written request, or at least 10 days prior to maturity in the absence of written demand. Notes must be dated prior to February 1, 1946, and must be executed in accordance with these instructions, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee shall be accepted only where legally valid. The purchase price to be paid by Commodity for notes accepted shall be the outstanding principal due on such notes, plus accrued interest at the rate of 1½ percent per annum from the date of disbursement by the lending agency to the date of payment. Under the terms of the Contract to Purchase lending agencies are required to report weekly, on C. C. C. Form F, all repayments or collections on producers' notes held by them and to remit with such report, to the office of the regional director of Commodity Credit Corporation at Chicago, Illinois, an amount equivalent to 1½ percent per annum on the principal amount collected from the date of the note to the date of repayment.

§ 257.60 *Release of collateral.* A producer may obtain release of the collateral by paying to the lending agency or Commodity, whichever holds the note, the principal amount due thereon (including the storage advance) plus accrued interest. If the note is held by an out-of-town agency or by Commodity, the producer may request that the note be forwarded to a local bank for collection. In such case, the local bank will be instructed to return the note to the sender if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon repayment of a loan, the county agricultural conservation committee shall be requested to release the mortgage by filing an instrument of release or by a marginal release on the county recorder's records.

§ 257.61 *Release of part of collateral.* A producer may obtain release of all or part of the collateral in a bin by paying to the holder of the note the loan value,

plus storage advanced and accrued interest, for the soybeans released. Form Commodity Loan 29 must be prepared and distributed, in accordance with instructions issued by the Agricultural Adjustment Agency, for each partial redemption.

§ 257.62 *Insurance of farm-stored soybeans.* Commodity Credit Corporation will not require producers to insure their 1945 farm-stored soybeans placed under loan. In case of a total loss of the soybeans resulting from an external cause, the producer will not, except as stated below, be held personally liable on the note, and Commodity Credit Corporation will allow the producer to retain the full storage payment of 7 cents per bushel. In case of a partial loss of the soybeans, resulting from an external cause, the producer will not, except as stated below, be held personally liable for that part of the indebtedness secured by the soybeans lost, and the producer's loan will be credited with the full storage payment of 7 cents per bushel on the soybeans lost. No loss will be assumed by the Corporation, however, if it is determined that the loss was caused by conversion by the producer, or his negligence, or caused by vermin, or there has been a fraudulent representation on the part of the producer in connection with the loan.

PURCHASES

§ 257.68 *Soybeans eligible for purchase.* Soybeans eligible for purchase shall be soybeans of all classes and grades, which were produced in 1945, the beneficial interest in which is in the producer and has always been in him, or has been in him and a former producer whom he succeeded before the soybeans were harvested, except that soybeans which grade weevily, sour (other than because of green damage), musty, heating, or which have a "commercially objectionable foreign odor" shall not be eligible for purchase by Commodity, except as provided in § 257.73. Soybeans which grade sample or would grade sample because of having an odor due solely to green damage or being sour due solely to green damage shall be eligible for purchase by Commodity.

Purchases will be made in all States through June 30, 1946.

§ 257.69 *Basic purchase prices and specifications.* The basic purchase price per net bushel (see § 257.74 below) of eligible Class I (Yellow) and Class II (Green) soybeans, containing 14 percent moisture and grading No. 2 or better except for green damage, in accordance with U. S. Grain Standards, sold and delivered to normal delivery points, shall be \$2.04 per bushel.

The basic purchase price of Class III (Brown), Class IV (Black) and Class V (Mixed) soybeans, containing 14 percent moisture and grading No. 2 or better, except for green damage, in accordance with such Standards, shall be \$1.84 per bushel.

Mixtures of Classes I and II eligible soybeans which contain 5 percent (actual) or less of Classes III and IV and bicolored soybeans, either singly or in combination, shall take the applicable

loan rate for Classes I and II soybeans. If more than 5 percent of Classes III and IV and bicolored soybeans, either singly or in combination, is contained in a mixture of eligible soybeans which otherwise would take the loan rate for Classes I and II soybeans, the mixture shall take the applicable loan rate for Classes III, IV, and V soybeans. Mixtures of green soybeans in Class I and yellow soybeans in Class II shall be disregarded for purposes of determining applicable loan values.

§ 257.70 *Premiums.* Premiums shall be paid above the basic purchase price for eligible soybeans which have a moisture content of 13½ percent rounded or less. The premium schedule follows:

Moisture	Premium
Percent	per bushel
13.3-13.7 both inclusive	\$0.01
12.8-13.2 both inclusive	.02
12.3-12.7 both inclusive	.03
11.8-12.2 both inclusive	.04
11.3-11.7 both inclusive	.05
Below 11.0-11.2 both inclusive	.06

§ 257.71 *Discounts.* Discounts for soybeans, from the basic purchase price, shall be assessed in accordance with the attached schedule.

§ 257.72 *Green damage odor.* Soybeans grading sample because of having an odor due to green damage or being sour due to green damage shall be purchased at rates for such soybeans had such odors not been present.

§ 257.73 *Out-of-condition soybeans.* Soybeans which are weevily, grade sour (other than because of green damage), musty, heating, or which have a "commercially objectionable foreign odor" shall be subject to such discounts as may be agreed upon at the time of purchase.

§ 257.74 *Foreign material and dockage.* Dockage and foreign material other than dockage, which, singly or in combination, total 2 percent or less, shall not be deducted from the gross weight of the soybeans. Therefore, a net bushel shall be considered to be 60 pounds of soybeans containing not in excess of 2 percent dockage and foreign material. If the total weight of foreign material and dockage combined is in excess of 2 percent, the excess shall be deducted from the total gross weight of soybeans in the determination of the net number of bushels of soybeans. For the purpose of this determination, dockage shall be computed in whole percents. Less than 1.0 percent actual dockage and fractional percentages shall be disregarded. Foreign material, percentages shall be stated in tenths.

§ 257.75 *Method of receiving soybeans.* (a) Country warehousemen may receive soybeans for immediate shipment to processors, terminal warehousemen having contracts with Commodity, or for storage in the elevator or Commodity bins. In order to receive soybeans for Commodity, a country warehouseman must have executed Uniform Grain Storage Agreement (C. C. C. Form H) and supplements thereto. Approval by the county committee must be obtained before any soybeans are placed in Commodity bins.

(b) County agricultural conservation committees may receive soybeans for storage in bins owned by Commodity, storage in other facilities, or for shipment. No car shall be loaded without prior approval from the regional director.

§ 257.76 *Soybeans received by country warehouses approved under the Uniform Grain Storage Agreement.* The country warehouseman shall receive soybeans delivered by wagon or truck from the producer, grade the soybeans and store them in his warehouse, or in Commodity bins, upon prior approval of, and under supervision of, the county committee; or shall receive and grade the soybeans for sale to processors or to terminal warehousemen who have contracts with Commodity. Producers shall file an Offer of Sale memorandum (C. C. C. Purchase Form B) with the county committee listing all lienholders and containing lien waivers, and shall designate to whom the proceeds of the soybeans sold shall be paid in the case of soybeans sold to Commodity.

(a) *Storage in warehouse for Commodity.* The warehouseman shall issue separate warehouse receipts for each lot of soybeans stored for Commodity showing the weight, moisture, class and grade, and all other information necessary to determine the premiums and discounts specified in §§ 257.70, 257.71, and 257.74. The warehouseman shall deliver to the producer said warehouse receipt and inspection certificates or, upon request of the producer, the warehouseman shall deliver such warehouse receipt and inspection certificates to the county office of the Agricultural Adjustment Agency. The county committee of the Agricultural Adjustment Agency shall issue the producer a non-interest-bearing sight draft for each purchase. The information on the warehouse receipt or inspection certificate shall be transferred to the sight draft. The sight draft shall be prepared in triplicate, the original given to the producer, one copy retained by the county committee of the Agricultural Adjustment Agency, and one copy mailed, on the date of issuance, to the regional office of Commodity. The sight draft and attachments may be presented to a local bank or direct to Commodity for payment. Charges shall accrue against the warehouse receipts in accordance with the Uniform Grain Storage Agreement, except that the charge for handling the soybeans in and out of the warehouse shall be 5 cents per bushel. The warehouseman shall be responsible for weights and grades to Commodity.

(b) *Storage in bins owned by Commodity.* Eligible soybeans containing not more than 14 percent moisture, and eligible soybeans grading sample (due to green damage only) and containing not more than 14 percent moisture and reasonably free from dockage and foreign material, may be stored in bins owned by Commodity upon prior approval by the county committee. All soybeans stored in Commodity bins must be placed in the bins under the direct supervision of the committee. Soybeans to be stored in steel or wooden bins for Commodity should be segregated according to color, except that soybeans of Classes I and II

which contain a total of less than 5 percent of Classes III and IV may be considered as the same color. If necessary, soybeans of the same color but different grades may be mixed. The warehouseman shall issue scale tickets and inspection certificates showing moisture, class, and grade for soybeans grading other than sample (due to green damage only). For eligible soybeans grading sample, the warehouseman shall issue scale tickets or inspection certificates showing moisture, class, grade, and percent of damage, and deliver such tickets and inspection certificates to the producer or, upon request from the producer deliver such scale tickets and inspection certificates to the county office of the Agricultural Adjustment Agency. The county committee shall issue the producer a non-interest-bearing sight draft for each purchase in an amount due the producer for the quantity, quality, class, and grade of soybeans delivered. The information on the scale tickets or inspection certificates shall be transferred to the sight draft.

§ 257.77 *Soybeans received by county committees.* In areas where there are no approved warehousemen, country warehousemen, or warehousemen's agents available at usual shipping points, or, where warehousemen do not cooperate in the purchase program, the county committee, or an agent designated by the county committee, will receive soybeans and make immediate shipment or store in Commodity bins.

Soybeans containing in excess of 14 percent moisture shall not be stored in bins owned by Commodity. However, producers may, by filing C. C. C. Purchase Form B with the county commit-

tee, deliver their soybeans for purchase to a point designated by the county committee, without first obtaining a grade determination, provided the soybeans do not have a moisture content in excess of 14 percent in the opinion of the producer and the county committee.

In the event the producer is requested by the county committee to deliver his soybeans to a point more distant than his usual delivery point for the purpose of assembling in carload lots, Commodity will allow not more than 5 cents per ton per mile haul for the additional distance necessary to make such delivery. In no event shall the county committee approve payments for an additional haul in excess of 4 cents per bushel without prior approval of the regional director of Commodity. The approval of payment for additional mileage shall be submitted on C. C. C. Grain Form J (Revised) by the county committee, which shall be mailed to the Chicago office of Commodity for payment. The amount claimed for additional mileage shall not be included in the amount of the sight draft.

County committees will weigh and load soybeans into bins owned by Commodity and will obtain a representative sample which shall be forwarded to the State office of the Agricultural Adjustment Agency or to an inspector licensed to grade soybeans. Upon receipt of the grade analysis, which shall include an entry for all grade factors needed to determine purchase price, the county committee shall draw a non-interest-bearing sight draft on Commodity in favor of the producer, for the total purchase price of the beans delivered in the same manner, and follow the same instructions as when the soybeans are placed in bins by the warehouseman.

§ 257.78 *Grade analysis.* Where requested by the producer, the warehouseman shall furnish the producer a complete grade analysis which shall include class, grade, test weight, moisture, percentage of splits, percentage of total damage, percentage of green damage, percentage of foreign material other than dockage, percentage of brown and/or black soybeans in case green or yellow soybeans are being offered for sale, and percent of dockage.

If the warehouse is not equipped to furnish all grade factors, a representative sample of the soybeans delivered shall be taken by the warehouseman and producer and sent to the State Agricultural Conservation Office Laboratory, or to an inspector licensed to grade soybeans, for grade determination before any payment is made to the producer.

All settlements with the producer by the county committee of the Agricultural Adjustment Agency shall be based upon an agreement between the warehouseman and producer of grade factors determined.

The producer may call for another grade if, in his opinion, any grade factors furnished by the warehouseman are incorrect. In such cases, a representative sample taken by the warehouseman and producer shall be forwarded to a qualified licensed inspector for analysis, and settlement shall then be made on the basis of such analysis. The individual requesting the second grade shall pay the cost of obtaining grade determination.

Dated: August 9, 1945.

[SEAL]

C. C. FARRINGTON,
Vice President.

SCHEDULE OF DISCOUNTS FROM BASIC LOAN AND PURCHASE PRICE FOR 1945 CROP SOYBEANS

Test weight ¹		Moisture ²		Splits		Damage other than green (total damage minus green damage)				Green damage in excess of 3% total damage ³	
Pounds	Cents	Percent	Cents	Percent	Cents	Percent	Cents	Percent	Cents	Percent	Cents
53.0.....	1 1/2	Above 14.2% no loan		15.1-20.0 both incl.....	1/4	4.0	1 1/2	35.0	21	0.6-1.5 both incl.....	0.2
52.0.....	1			20.1-25.0 both incl.....	1/2	5.0	1	36.0	22	1.6-2.5 both incl.....	.4
51.0.....	1 1/4			25.1-30.0 both incl.....	3/4	6.0	1 1/4	37.0	23	2.6-3.5 both incl.....	.6
50.0.....	2					7.0	2	38.0	24	3.6-4.5 both incl.....	.8
49.0.....	2 1/2					8.0	2 1/2	39.0	25	4.6-5.5 both incl.....	1
Below 49 lbs. no loan		14.3-14.7 both incl.....	1 1/2	Above 30% no loan		Above 8.5% no loan				5.6-6.5 both incl.....	1.2
		14.8-15.2 both incl.....	3							6.6-7.5 both incl.....	1.4
		15.3-15.7 both incl.....	4 1/2							7.6-8.5 both incl.....	1.6
		15.8-16.2 both incl.....	6							8.6-9.5 both incl.....	1.8
		16.3-16.7 both incl.....	7 1/2							9.6-10.5 both incl.....	2
		16.8-17.2 both incl.....	9	30.1-35.0 both incl.....	1	Continue 1 1/2% discount for each 1/4%.				10.6-11.5 both incl.....	2.2
48.0.....	3	17.3-17.7 both incl.....	10 1/2	35.1-40.0 both incl.....	1 1/4					11.6-12.5 both incl.....	2.4
47.0.....	3 1/2	17.8-18.2 both incl.....	12	40.1-45.0 both incl.....	1 1/2					12.6-13.5 both incl.....	2.6
46.0.....	4	18.3-18.7 both incl.....	14	45.1-50.0 both incl.....	1 3/4					13.6-14.5 both incl.....	2.8
45.0.....	4 1/2	18.8-19.2 both incl.....	16	50.1-55.0 both incl.....	2					14.6-15.5 both incl.....	3
44.0.....	5	19.3-19.7 both incl.....	18	55.1-60.0 both incl.....	2 1/4					15.6-16.5 both incl.....	3.2
43.0.....	5 1/2	19.8-20.2 both incl.....	20	60.1-65.0 both incl.....	2 1/2					16.6-17.5 both incl.....	3.4
42.0.....	6	20.3-20.7 both incl.....	22	65.1-70.0 both incl.....	2 3/4					17.6-18.5 both incl.....	3.6
41.0.....	6 1/2	20.8-21.2 both incl.....	24	70.1-75.0 both incl.....	3					18.6-19.5 both incl.....	3.8
40.0.....	7	21.3-21.7 both incl.....	26	75.1-80.0 both incl.....	3 1/4					19.6-20.5 both incl.....	4
Continue 1 1/2% discount for each pound or fraction thereof.		21.8-22.2 both incl.....	28	80.1-85.0 both incl.....	3 1/2					Continue 0.2% discount for each 1%.	
		22.3-22.7 both incl.....	30	85.1-90.0 both incl.....	3 3/4						
				90.1-95.0 both incl.....	4						
				95.1-100.0 both incl.....	4 1/4						

¹ Round down to nearest pound. (Drop fractions.)

² Round to nearest 1/4%.

³ Round to nearest 1%. (Drop fraction of 0.5.)

Chapter III—Farm Security
Administration

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing
Administration (Standards, Inspections,
Marketing Practices)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

Chapter IV—Production and Marketing
Administration (Crop Insurance)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

Chapter VI—Soil Conservation Service

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

Chapter VII—Production and Marketing
Administration (Agricultural Adjust-
ment)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

Chapter VIII—Production and Marketing
Administration (Sugar Branch)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

Chapter IX—Production and Marketing
Administration (Marketing Agreements
and Orders)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

Chapter X—Production and Marketing
Administration (War Food Production
Orders)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

Chapter XI—Production and Marketing
Administration (War Food Distribution
Orders)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

[WFO 79, Partial Termination of Certain
Director's Orders]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID
MILK AND CREAM

Those provisions of the following orders, as amended, issued pursuant to the provisions of War Food Order No. 79, dated September 7, 1943, as amended (8 F.R. 12426, 13283, 9 F.R. 4321, 4319, 6932, 9459; 10035, 11990, 10 F.R. 103, 5347, 10275), which require the transmission of reports and the keeping and making available of records are terminated effective at 12:01 a. m., e. w. t., September 21, 1945: War Food Orders Nos. 79-25 through 79-33; 79-63 through 79-65; 79-67; and 79-101.

With respect to violations of said War Food Order 79, as amended, or any of the aforesaid orders issued pursuant thereto, rights accrued, liabilities incurred, or appeals taken thereunder, prior to the effective time hereof, all provisions of said orders in effect prior to the effective time hereof shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8037; WFO 79, as amended and as partially suspended (8 F.R. 12426, 13283; 9 F.R. 4321, 4319, 6982, 9459, 10035, 11990; 10 F.R. 103, 5347, 10275))

Issued this 13th day of September 1945.

[SEAL] C. W. KITCHEN,
Assistant Administrator,
Production and Marketing
Administration.

[F. R. Doc. 45-17260; Filed, Sept. 14, 1945;
12:51 p. m.]

[WFO 92, as Amended, Termination]

PART 1401—DAIRY PRODUCTS

CHEESE AND CHEESE FOODS

War Food Order No. 92, as amended (9 F.R. 1082, 4321, 4319, 9584; 10 F.R. 103, 126, 7155, 8803, 10419), together with War Food Order No. 92-2, as amended (10 F.R. 4649, 10419), issued pursuant to said War Food Order No. 92, as amended, are terminated as of 12:01 a. m., e. w. t., September 1, 1945, but War Food Order No. 92-1, as amended (9 F.R. 4005; 10 F.R. 103, 126, 10419), which was also issued pursuant to said War Food Order No. 92, as amended, shall continue to remain in full force and effect until it is suspended or terminated by the Assistant Administrator for Regulatory and

Marketing Service matters, Production and Marketing Administration.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 92, as amended, or under said War Food Order No. 92-2, as amended, prior to the effective time of this termination order, all of the provisions of the said War Food Order No. 92, as amended, and of the said War Food Order No. 92-2, as amended, in effect prior to the effective time of this termination order shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8037)

Issued this 19th day of September 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-17545; Filed, Sept. 19, 1945;
3:40 p. m.]

[WFO 4-10, Amdt. 2]

PART 1450—TOBACCO

1945 CROP FLUE-CURED TOBACCO

Pursuant to War Food Order No. 4 (8 F.R. 335) issued on January 7, 1943, as amended (8 F.R. 11331; 9 F.R. 4321, 4319, 9584; 10 F.R. 103, 126, 10419), and to effectuate the purposes of such order, as amended, War Food Order No. 4-10, as amended (10 F. R. 8952, 10277, 10419), relative to the 1945 crop of flue-cured tobacco, is hereby further amended as follows:

1. By deleting therefrom the term "101.5 percent" in § 1450.16 (b) (5) and inserting, in lieu thereof, the term "105.5 percent."

2. By deleting therefrom the term "115 percent" in § 1450.16 (b) (8) and inserting, in lieu thereof, the term "125 percent."

This order shall become effective at 12:01 a. m., e. w. t., September 19, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 4-10, as amended, prior to the effective time hereof, all provisions of such order, as amended, in effect prior to the effective time hereof shall continue in full force and effect for the purpose of sustaining any action, suit, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8037; WFO No. 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4321, 4319, 9584, 10 F.R. 103, 126, 10419)

Issued this 17th day of September 1945.

[SEAL] C. W. KITCHEN,
Assistant Administrator,
Production and Marketing
Administration.

[F. R. Doc. 45-17443; Filed, Sept. 18, 1945;
3:52 p. m.]

[WFO 29, Partial Suspension]

PART 1460—FATS AND OILS

DELIVERY OF CRUDE COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL TO REFINERIES

The provisions of paragraph (b) of War Food Order No. 29, as amended (8 F.R. 15551; 9 F.R. 651, 3252, 4319), are suspended with respect to the delivery of crude oil to and the receipt of crude oil by refiners. Unless otherwise ordered by the Assistant Administrator, this sus-

pension shall remain in effect until March 31, 1946.

This order shall become effective at 12:01 a. m., e. w. t., September 18, 1945. (E.O. 9280; 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 17th day of September 1945.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-17441; Filed, Sept. 18, 1945; 12:15 p. m.]

[WFO 63-5]

PART 1596—FOOD IMPORTS

REVISION OF APPENDIX

Pursuant to the authority vested in me by the provisions of War Food Order 63, as amended (9 F.R. 13280, 14877, 10 F.R. 103, 8950, 10419) § 1596.1 (d), Appendix A to the order is hereby completely revised to read as follows:

Food	Commerce import class No.	Governing date	Food	Commerce import class No.	Governing date
Alseives and other pickled or salted fish, n. s. p. f., ^{1,2}	0073.900-0073.900, inc.	Nov. 13, 1944	Fish, other, canned: ^{1,2}	0066.600.....	Feb. 15, 1915
Apples, dried, desiccated, or evaporated: ^{1,2}	1330.010.....	Do.	In oil or in oil and other substances. Not in oil, or in oil and other substances	0067.700.....	Do.
Apricots, dried, desiccated, or evaporated.	1330.120.....	Do.	Fish paste and fish sauce: ^{1,2}	0078.500.....	July 20, 1915
Argols, tartar and wine lees and crude calcium tartrate.	8329.000, 8330.000, 8380.013.....	Do.	Fish scrap and fish meal	0076.000, 8309.700.....	Nov. 13, 1911
Babassu nuts and kernels.	2239.130, 2239.150.....	Do.	Flaxseed (linseed) ¹	2233.000.....	Do.
Babassu nut oil.	2237.160.....	Do.	Grease cakes	N. S. C.....	Do.
Barley.	1020.000.....	Do.	Guano	8504.000.....	Do.
Beans, dried, except fava and mung beans.	N. S. C.....	Do.	Herring, canned, smoked or kippered or in tomato sauce: ^{1,2}	0067.600.....	Feb. 15, 1915
Beef and veal, pickled or cured: ²	0029.000.....	Do.	Herring (including sprats, pilchards, and anchovies), all types: ¹	0070.000-0070.000, inc.	Nov. 13, 1911
Beef, canned, including corned beef: ²	0028.000.....	Do.	Lamb, fresh, chilled or frozen: ²	0022.000.....	Do.
Beef, fresh, chilled or frozen: ²	0018.000.....	Do.	Lard, (including rendered pork fat): ²	0036.000.....	Do.
Blood, dried, n. s. p. f.	8505.000.....	Do.	Lard compounds and lard substitutes made from animal or vegetable oils and fats: ²	0036.100.....	Do.
Bones, ground, ash, dust, meal and flour (for feed and fertilizer use).	N. S. C.....	Do.	Lentils	1199.000.....	Do.
Butter.	0044.000.....	Do.	Linseed oil, and combinations and mixtures, in chief value of such oil.	2254.000.....	Do.
Cassia, cassia buds and cassia vera, ground and unground.	1533.000, 1533.100, 1550.070.....	Do.	Livermeal	N. S. C.....	Do.
Castor beans.	2231.000.....	July 20, 1945	Lobsters (including spiny lobsters and crawfish), canned: ^{1,2}	0084.000.....	July 20, 1915
Castor oil.	2260.020.....	Do.	Lobster paste and sauce: ^{1,2}	0087.800.....	Do.
Cheese.	0045.160-0046.990, inc.	Nov. 13, 1944	Mace, including Bombay or wild, ground and unground.	1540.000, 1550.000, 1549.200, 1550.100.....	Nov. 13, 1911
Chickens and guineas:			Meats, canned, n. e. s., and prepared or preserved meats, n. s. p. f. (including liver paste): ²	0032.900.....	Do.
Dead, fresh, chilled or frozen, dressed or undressed: ^{1,2}	0025.400.....	Do.	Meat extracts, including fluid	0096.000.....	Do.
Live.	N. S. C.....	Do.	Milk, condensed, evaporated, skimmed dried and whole dried.	0040.000, 0040.100, 0040.700, 0041.100, 0041.000.....	Do.
Prepared or preserved: ^{1,2}	N. S. C.....	Do.	Molasses and sugar syrup: ¹	1630.480-1630.990, inc.	Do.
Chickpeas and garbanzos, ground: ¹	1200.000.....	Do.	Mutton, fresh, chilled or frozen: ²	0021.000.....	Do.
Cinnamon and chips of, dried and unground.	1526.000, 1550.030.....	Do.	Neatsfoot oil and animal oils known as neatsfoot stock.	0803.950.....	Do.
Clams (except razor clams) and clams in combinations with other substances (except clam chowder) canned: ^{1,2}	0081.500.....	July 20, 1945	Nutmegs, ground and unground	1539.000, 1550.110.....	Do.
Clams, razor, canned: ^{1,2}	0081.400.....	Do.	Oil cake and oil cake meal:		
Cocoa beans or cacao beans.	1501.300.....	Nov. 13, 1944	Coconut or copra: ¹	1111.000.....	Do.
Cocoa butter (cacao butter).	1420.000.....	Do.	Soybean: ^{1,2}	1112.000.....	Do.
Cocoa, unsweetened and sweetened.	1502.100, 1502.300, 1502.800.....	Do.	Cottonseed: ¹	1114.000.....	Do.
Coconuts, in the shell.	1351.000.....	Do.	Linseed: ¹	1116.000.....	Do.
Coconut meat, shredded and desiccated or similarly prepared.	1379.000.....	Do.	Peanut: ^{1,2}	1119.600.....	Do.
Coconut oil.	2242.500.....	Do.	Hempseed: ¹	1119.700.....	Do.
Cod, haddock, hake, pollock and cusk, pickled or salted (except in oil, etc., and in airtight containers, weighing, with contents, not over 15 pounds each). ^{1,2}	0069.000, 0069.200, 0069.900.....	Do.	Other, n. s. p. f. ¹	1119.900.....	Do.
Coffee, raw or green, roasted or processed: ¹	1511.000, 1511.100.....	Do.	Oleo oil: ²	0036.200.....	Do.
Cohune nuts and kernels.	N. S. C.....	Do.	Oleo stearin: ²	0036.300.....	Do.
Cohune nut oil.	N. S. C.....	Nov. 13, 1944	Ouricury (uricury) nuts and kernels.	2239.610, 2239.620.....	Do.
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specially provided for.	2260.120.....	Do.	Ouricury (uricury) oil, inedible and edible.	2257.800, 2257.830.....	Do.
Copra.	2232.000.....	Do.	Oysters, canned: ^{1,2}	0081.100.....	July 20, 1915
Corn, including cracked: ²	1031.000, 1090.180.....	Do.	Palm kernel oil.	2248.000.....	Nov. 13, 1911
Corn meal, flour, grits and similar products.	1090.190.....	Do.	Palm nut kernels.	2236.500.....	Do.
Corned beef hash: ²	1250.230.....	Do.	Palm oil.	2243.000.....	Do.
Cottonseed oil, crude, refined.	1423.100, 1423.200.....	Do.	Peaches, dried, desiccated, or evaporated.	1330.620.....	Do.
Crabmeat, including crab sauce and crab paste, canned: ^{1,2}	0080.500.....	July 20, 1945	Peanut (ground nut) oil: ¹	1427.000.....	Do.
Currents, dried.	N. S. C.....	Nov. 13, 1944	Peanuts, shelled or not shelled: ¹	1367.000, 1368.000.....	Do.
Dates, dried.	N. S. C.....	Do.	Pears, dried, desiccated or evaporated.	1339.670.....	Do.
Egg albumen, dried, frozen or otherwise prepared or preserved, n. s. p. f.	0094.000, 0095.000.....	Do.	Pears, dried, ripe and split, excluding maple pears.	1197.000, 1198.000.....	Do.
Eggs (chicken) whole, in the shell.	0088.100.....	Do.	Pepper, black or white, unground.	1541.000, 1542.000.....	Do.
Eggs, dried, frozen, or otherwise prepared or preserved, n. s. p. f.	0090.000, 0091.000.....	Do.	Pork, fresh, chilled or frozen: ²	0020.100, 0020.500.....	Do.
Eggs of poultry other than chicken, whole, in the shell.	0088.500.....	Do.	Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc. ²	0030.000, 0031.000.....	Do.
Egg yolks, dried, frozen or otherwise prepared or preserved, n. s. p. f.	0092.000, 0093.000.....	Do.	Prunes, prunelles and plums:		
Fatty acids, not specially provided for, derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:			Dried, desiccated, or evaporated.	1330.540.....	Do.
Cottonseed oil.	2260.220.....	Do.	Otherwise prepared or preserved, n. s. p. f.	1330.550.....	Do.
Linseed oil.	2260.210.....	Do.	Raisins, from seedless grapes and other.	1319.100, 1319.200.....	Do.
Soybean oil.	2260.230.....	Do.	Rapeseed: ¹	2237.000.....	Do.
Other, not elsewhere specified.	2260.240.....	Do.	Rapeseed oil, denatured and not denatured: ¹	2246.000, 2253.000.....	Do.
Figs, dried.	N. S. C.....	Nov. 13, 1944	Rice:		
Fish cakes, balls and pudding, in oil, or in oil and other substances: ^{1,2}	0067.300.....	July 20, 1945	Paddy.	1051.000.....	Do.
			Uncleaned or brown rice.	1051.100.....	Do.
			Cleaned or milled rice.	1053.000.....	Do.
			Fatna rice, cleaned, for use in canned soups.	1054.000.....	Do.
			Rice meal, flour, polish and bran.	1059.100.....	Do.
			Broken.	1059.200.....	Do.
			Salmon, canned, not in oil, or in oil and other substances: ^{1,2}	0067.000.....	Feb. 15, 1915
			Sardines, in oil or in oil and other substances: ^{1,2}	0063.200, 0063.300.....	Nov. 13, 1911

See footnotes at end of table.

Food	Commerce import class No.	Governing date	Food	Commerce import class No.	Governing date
Sardines, and other herring, canned (including snacks, tidbits, rollmops and sprats). ¹	0067.700.....	Feb. 15, 1945	Tallow, beef and mutton, including oleosteak. ¹	0003.000.....	Nov. 13, 1944.
Sesame oil, edible and inedible. ¹	1428.000, 2249.000.....	Nov. 13, 1944	Tallow, beef and mutton (inedible), including oleosteak.	0315.000.....	Do.
Sesame seed. ¹	2234.000.....	Do.	Turkey (incl. cracklings, meat meal, meat flour, meat scrap, etc.)	0075.000, 8009.000.....	Do.
Soap and soap powder. ²	5711.000, 5719.000, inc.	Do.	Tartaric acid.	8007.000.....	Do.
Sugar cane.	1510.750-1610.000 inc.	Do.	Tea, not specially provided for.	1121.000.....	Do.
Sugar-containing products, composed of 40 percent or more by weight of sugar. ¹	N. S. C.	Sept. 29, 1945	Tuna fish, in oil or oil and other substances. ¹	0003.200.....	July 20, 1945
Sunflower oil, edible and denatured. ¹	1421.000, 2247.000.....	Do.	Tung oil (China wood oil).	2241.000.....	Nov. 13, 1944
Sunflower seed. ¹	2240.000.....	Do.	Turkeys:		
Syrups, molasses, sugar-containing solutions, and sugar mixtures, edible, derived in whole or in part from sugar or sugar cane, irrespective of sugar, invert sugar, or non-sugar content, whether added to or derived from the product, n. e. s. ¹	N. S. C.	July 29, 1945.	Dead, fresh, chilled or frozen, dressed or undressed. ^{1,2}	0024.000.....	Do.
			Live.	0014.000.....	Do.
			Prepared or preserved. ^{1,2}	N. S. C.	Do.
			Veal, fresh, chilled or frozen. ¹	0010.000.....	Do.

¹ See paragraph (b) (5) (ix).² See paragraph (b) (6) (i).³ Governing date November 13, 1944, except as covered by (b) (5) (ix) for which governing dates are as follows: -

Apples, dried, desiccated or evaporated, Dec. 23, 1944.

Chickens, guineas and turkeys, dead, fresh, chilled or frozen, dressed or undressed, June 15, 1945. Prepared or preserved, June 15, 1945.

N. S. C.—No separate class or commodity number has been assigned for the food as described by the Department of Commerce, Statistical Classification of Imports.

This revision shall be effective September 20, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 63, 8 F.R. 13280, 14877, 10 F.R. 103, 8950, 10419)

Issued this 19th day of September 1945.

[SEAL] C. W. KITCHEN,
Assistant Administrator,
Production and Marketing
Administration.

[F. R. Doc. 45-17546; Filed, Sept. 19, 1945;
3:40 p. m.]

Chapter XII—Production and Marketing Administration (Fats and Oils Branch)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

Chapter II—Production and Marketing Administration (Livestock Branch)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission) Department of Agriculture

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5477]

PART 186—GAUGING MANUAL

WINE AND PROOF GALLON CONTENTS

Pursuant to the provisions of sections 2808 and 3176, Internal Revenue Code, the Gauging Manual, approved November 21, 1938, (26 CFR, Part 186), is hereby amended as follows:

Section 186.13 (a) is amended to read as follows:

§ 186.13 *Wine and proof gallon contents.* (a) The proof of alcohol in receiving cisterns of industrial alcohol plants and the proof of spirits in cisterns of distilleries shall be adjusted to a whole or complete degree of proof before being removed therefrom: *Provided*, That the proof of alcohol transferred by pipe line from receiving cisterns of industrial alcohol plants to industrial alcohol bonded warehouses or denaturing plants, and the proof of spirits transferred by pipe line from cistern rooms of fruit distilleries to fortifying rooms of bonded wineries need not be so adjusted. The proof of alcohol or other spirits at industrial alcohol bonded warehouses, bottling-in-bond departments of internal revenue bonded warehouses, rectifying plants, and tax-paid bottling houses shall be adjusted to a whole degree of proof preparatory to filling containers such as tank cars, barrels, drums, or bottles. Adjusting the proof to tenths of a degree, either above or below the whole or complete degree, will not be permitted: *Provided*, That when tax-paid spirits at rectifying plants and tax-paid bottling houses and untax-paid spirits for bottling in bond for export at bottling-in-bond departments of internal revenue bonded warehouses are being prepared for bottling and are to be bottled and labeled in tenths of a degree of proof, such as 86.6, the proof of the spirits shall be adjusted to such tenths of a degree of proof. The restoration to the original proof and volume of rectified spirits upon which the rectification tax has been paid, by the addition of water, preparatory to bottling, shall not be deemed to reduction in proof or an increase in volume

within the meaning of section 2801 (b) of the Internal Revenue Code.

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: September 19, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-17543; Filed, Sept. 19, 1945;
3:53 p. m.]

TITLE 29—LABOR

Chapter IX—Department of Agriculture (Agricultural Labor)

REDESIGNATION OF CHAPTER

CROSS REFERENCE: For redesignation of chapter headnote see Title 6, Chapter II, *supra*.

[Supp. 70, Amdt. 1]

PART 1105—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF MAINE WORKERS ENGAGED IN HARVESTING POTATOES IN CERTAIN COUNTIES OF MAINE

Section 1105.1 (10 F.R. 10349) is hereby amended as follows:

The last sentence in the last paragraph of § 1105.1 (b) shall read as follows:

Where an employer furnishes board, or board and room, a deduction of 3¢ per barrel or \$10 per week must be made therefor except that these deductions shall not operate to reduce the earnings of pickers below 13¢ per barrel for the period charged.

This amendment 1 to Supplement 70 shall become effective at 12:01 a. m., eastern war time, September 19, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 53 Stat. 632 (1944); Public Law 108, 79th Cong., E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 331, 12807, 14206, 10 F.R. 3177)

Issued this 19th day of September 1945.

[SEAL]

K. A. BUTLER,
Acting Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-17584; Filed, Sept. 20, 1945;
11.21 a.m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 876, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 32, as Amended Sept. 17, 1945]

INVENTORIES

(a) What this regulation does.

General Restrictions

- (b) Restriction on delivery.
- (c) Restrictions on receipts.
- (d) Restriction on ordering more than needed.
- (e) Adjusting outstanding orders when requirements change.
- (f) Restriction on processing.

Exceptions

- (g) In general.
- (h) Receipts permitted after contract cancellations or cut-backs.

Miscellaneous Provisions

- (i) Previous inventory authorizations.
- (j) Separate inventories.
- (k) Redistribution of excess inventories.
- (l) Violations.
- (m) Revisions of tables.
- (n) Appeals, letters and questions.

§ 944.53 *Priorities Regulation 32*—(a) *What this regulation does.* This regulation contains the inventory rules formerly in § 944.14 of Priorities Regulation 1 and in CMP Regulation 2. Its purpose is to prevent excessive inventories by restricting ordering, deliveries, receipts and processing of materials in short supply. All kinds of materials are covered including raw or semi-fabricated materials, commodities, equipment, accessories, parts, assemblies or products of any kind, whether or not acquired with priorities assistance.

The general rule on receipts is in paragraph (c) (1), and this is controlling unless a more specific limitation or exception is indicated in Table 1 or 2 or a direction to this regulation, or unless Table 3 (formerly Order M-161) exempts the material entirely. Other exceptions to the inventory limitations are stated in paragraphs (g) and (h) and in directions to this regulation.

General Restrictions

(b) *Restriction on delivery.* No person may deliver any material if he knows or has reason to believe that acceptance of the delivery would be in violation of this regulation.

NOTE: For rule on making or delivering material earlier than required by customers, see Interpretation 3.

(c) *Restrictions on receipts*—(1) *General rule.* A person may not accept delivery of any material if his inventory of that material is, or will be, more than a practicable minimum working inventory reasonably necessary to meet his own deliveries on the basis of his current or scheduled method and rate of operation.

NOTE: For rule on when material is considered to be in inventory, see Interpretation 4; for rule as to seasonal industries, see Interpretation 1.

(2) *Special rules in Tables 1 and 2.* If Table 1 at the end of this regulation shows a special inventory limit on a particular material or product (either specifically or by reference to another WPB order or regulation), that limitation governs and the restrictions of paragraph (c) (1) above may be disregarded unless the applicable order or regulation (or a note in Table 1) also states that a practicable minimum working inventory may not be exceeded. The same is true with respect to particular classes of persons shown on Table 2. Where a specific period of time is shown on Table 1 or 2, no person affected may accept delivery of any material specified if his inventory of it is, or will be, more than he needs during the immediate period specified on the basis of his current or scheduled method and rate of operation. Even if an order or regulation is not listed on Table 1 or 2, any specific inventory limits imposed by it must be complied with. If an order or regulation listed on Table 1 or 2 is revoked or a listing removed from the tables all provisions of this regulation, including paragraph (c) (1), are automatically applicable.

(3) *Special rules on steel and copper in controlled material form.* The former inventory rules in CMP Regulation 2 on steel and copper in controlled material form (as defined in CMP Regulation 1) are now in Table 1 of this regulation, and the following special rules are applicable to deliveries to users of such steel and copper: (i) Where steel and copper are involved, the provisions of this regulation apply separately to each "item" in any class listed in Table 1 which is different from all other items in that class by reason of one or more of its specifications, such as length, width, thickness, temper, alloy, finish, method of manufacture, etc. (ii) If any producer of steel or copper exercises his privilege under CMP Regulation 1 of making delivery before the delivery date specified by his customer, the delivery may be accepted and the limits of this paragraph (c) exceeded to the extent that the excess results from the early delivery. (iii) The limits in Table 1 on receipts of steel and copper in terms of specific days' requirements apply only within the 48 States and the District of Columbia. Other special rules on steel and copper are explained in Table 1.

(d) *Restriction on ordering more than needed.* (1) A person may not place any order, whether rated or unrated, for delivery of any material on earlier dates or in larger amounts than he would be permitted to receive under this regulation. Orders aggregating more than he is allowed to receive may not be placed with

different suppliers even though he intends to cancel one or more of them before delivery. However, this restriction does not apply to materials listed on Table 3 of this regulation nor to purchases by ultimate consumers for personal or household use. The restriction does not forbid the placing of orders for delivery under the conditions explained in Interpretation 11 to Priorities Regulation 1, but such orders may not be scheduled for production as long as this restriction is effective.

(2) This restriction does not require adjustment of orders placed before August 28, 1945. However, in view of its policy to prevent hoarding and speculative buying of materials in short supply, the WPB may direct adjustments or cancellations in individual cases where orders are in excess of reasonably anticipated needs especially where failure to do so might result in unbalanced distribution and curtail total production.

(3) If the inventory limits applying to any material are made more restrictive, whether by a change in Table 1 or otherwise, any person affected must immediately cancel, reduce or defer any order for the material to the extent that the scheduled delivery would result in an inventory greater than permitted by the new restriction and other applicable provisions of this regulation.

(e) *Adjusting outstanding orders when requirements change.* If because of a change in operations, slowing or stoppage of production, delayed delivery by a supplier, or any other change in requirements, a person who has ordered material for future delivery would, if he accepted delivery on the date specified, exceed the limits prescribed by this regulation, he must promptly adjust his outstanding orders, and, if necessary, postpone or cancel them. Paragraph (h) below describes what further deliveries may be accepted.

(f) *Restriction on processing.* No person may process, fabricate, alloy or otherwise alter the shape or form of any material if his inventory of the material in its processed, fabricated, alloyed or otherwise altered shape or form is, or will be, more than a practicable minimum working inventory. However, this does not restrict a person from altering the form of surplus materials by scrapping or reprocessing them, unless a WPB order specifically says otherwise.

Exceptions

(g) *In general.* This paragraph, paragraph (h) below, and certain directions to this regulation state general exceptions to the restrictions on acceptance of delivery described in paragraph (c) above, and to all other inventory restrictions on delivery and acceptance of delivery in WPB orders and regulations unless they contain specific provisions to the contrary. None of these or any other exceptions to WPB inventory restrictions on receipts permit a supplier to disregard any applicable WPB order or regulation which restricts production or delivery.

(1) *Exemption of Table 3 materials.* Materials listed on Table 3 at the end of this regulation may be delivered and

accepted without regard to WPB inventory restrictions.

(2) *Materials bought under PR-13.* Priorities Regulation 13 provides a limited exemption from inventory restrictions in the case of items bought on special sales.

(3) *Imported materials.* A person may import any material without regard to WPB inventory restrictions, but if his inventory of it thereby becomes in excess of the amount permitted by this regulation, he may not receive further deliveries of it from domestic sources until his inventory is reduced to permitted levels. The inventory restrictions of this regulation do apply to any deliveries of the imported material he makes, and to the amount of it that any person accepting delivery from him may receive.

(4) *Advance stockpiling for civilian production.* A person may receive in anticipation of starting or resuming civilian production the minimum amount of material he would need during the first 30 days of such production, provided no priorities assistance is used to get the material. Records of such receipts and the basis on which they were computed must be preserved as required by § 944.15 of Priorities Regulation 1. This 30-day amount is a ceiling as far as advance stockpiling is concerned, and may not be considered as a "bonus" to be added to the amount of any material which a producer expects to have available for making his civilian product. Changes in this 30-day amount may be indicated for a particular material by a note in Table 1.

(5) *Minimum sale quantities.* Minimum sale quantities and production runs may be accepted to the extent permitted by Interpretation 2 to this Regulation. However, where Column 3 of Table 1 shows a specific amount of a particular material, that is considered to be the minimum sale quantity of it. Thus, if a person would be permitted under paragraph (c) to accept less than the amount shown, he may accept delivery of the full amount. In any event, after receiving a minimum sale quantity of any material, a person may not accept delivery of any additional quantities until his inventory of it is within applicable limits.

(6) *Small inventory exemption for particular materials.* If a note in Table 1 or 2 shows a specific amount of a particular material as a small inventory exemption, a person may accept delivery of any quantities of it as long as his total inventory of it after acceptance is no more than the specified amount.

(h) *Receipts permitted after contract cancellations or cut backs.* Where a person has promptly cancelled or cut back a contract with his supplier as required by paragraph (e) and the supplier is not otherwise prohibited from producing or delivering any material involved, delivery of it may be accepted and the inventory restrictions of paragraph (c) exceeded to the following extent only:

(1) Delivery may be accepted if the supplier has shipped the material or loaded it for shipment before the receipt of the instruction to cancel or cut back; or

(2) Delivery may be accepted of any special item which the supplier actually has in stock or in production or special components or special materials which he has acquired for the purpose of filling that contract. A special item, as used above, means one that the supplier does not usually make, stock, or sell, and which cannot readily be disposed of to others; or

(3) Even if the material is not a special item, delivery may be accepted from a producer if it has already been produced or is in production before receipt of the instruction to cancel or cut back, and it cannot be used to fill other orders on the producer's books.

NOTE: For special rules on continuing receipts of special items after contract cut backs, see Direction 3 to this regulation; and as to transfers of idle materials after cancellations or cut backs, see Direction 1. For effect of reduction in consumption rate on permitted inventories, see Interpretation 5.

Miscellaneous Provisions

(i) *Previous inventory authorizations.* Any specific authorizations, exceptions, or grants of appeals issued under § 944.14 of Priorities Regulation 1 or CMP Regulation 2 remain in effect according to their terms unless individually modified or revoked.

(j) *Separate inventories.* (1) In figuring his inventory, a person must include all material in his possession and all material held for his account by another person, but not material held by him for the account of another person.

(2) In the case of a person who on August 28, 1945, has more than one operating unit and keeps separate inventory records for them, this regulation applies to each such operating unit or division independently. A person may not make any further separation or consolidation of such operating units without special written approval of the War Production Board, unless it is purely incidental to a separation or consolidation which is made primarily for other than inventory purposes.

(k) *Redistribution of excess inventories.* Excess inventories of materials and products, including inventories of materials which are in such form as to be unusable by the holder, are subject to redistribution to other persons by voluntary action pursuant to Priorities Regulation 13, or if necessary for national defense, through requisitioning by the War Production Board.

(l) *Violations.* Any person who willfully violates any provision of this regulation, or who, in connection with this regulation, willfully conceals a material fact, or furnishes false information to

any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Revisions of tables.* Tables 1, 2 and 3, attached to this regulation will be revised from time to time. As materials and products become in more ample supply, it is expected that they will be listed on Table 3. In special cases, particular materials or products may also be removed from Table 3 or added to Table 1. It is, therefore, important to be familiar with the latest revision of the tables.

(n) *Appeals, letters and questions.* Any appeal or other question regarding any provision of this regulation should be sent by letter in duplicate to the Office of Inventory Control and Surplus Utilization, War Production Board, Washington 25, D. C., Ref.: PR 32, unless Table 1 or 2 attached to this regulation indicates otherwise with respect to particular materials or classes of persons.

Issued this 17th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE 1—MATERIALS AND PRODUCTS SUBJECT TO SPECIFIC INVENTORY PROVISIONS

NOTE: Table 1 amended Sept. 17, 1945.

Explanation. Materials or products listed in Column 1 are subject to the specific inventory provisions shown, as explained in paragraph (c) (2) of the regulation, except to the extent that different rules may apply as to certain classes of persons under Table 2.

Column 2 shows either the WPB order or regulation which controls inventories of the material, or if no order is specified, there is shown a period of time representing the maximum inventory permitted as explained in paragraph (c) (2). An asterisk (*) indicates that the practicable minimum working inventory limit of paragraph (c) (1) also applies, that is, if it would be less than the specific limit indicated.

A figure in Column 3 shows the minimum sale quantity, that is, the amount of the particular material which a person may receive under the conditions stated in paragraph (g) (5), even if it is more than allowed under Column 2. If no figure is shown, the rule in Interpretation 2 must be followed.

Column 4 tells the Division or Office in the War Production Board to which should be sent any appeals or questions regarding the limitations described. However, if the applicable order says appeals are to be filed somewhere else, such as the nearest WPB field office, that provision controls.

Column 5 (Remarks) gives explanations, exemptions or other special rules applicable to the particular material or limitation.

Material	Order or limitation	Minimum sale quantity	WPB division or office administering the control	Remarks
(1)	(2)	(3)	(4)	(5)
Aluminum. (See Table 3.)				
Antimony.....	MF-112.....	Tin, lead and zinc.	
Babbitt.....	MF-43, Dir. 2.....	Tin, lead and zinc.	
Bristles.....	MF-1.....	Textiles.	
Castings, malleable iron.....	45 days*.....	Office of Inventory Control.	****Receipts of less than 2,000 pounds from any one pattern or mold, or of a minimum production run as explained in Interpretation 2 are permitted under the conditions explained in par. (g) (5).

TABLE 2—CLASSES OF PERSONS SUBJECT TO SPECIFIC INVENTORY PROVISIONS

NOTE: Table 2 amended Sept. 17, 1945.

Explanation. The classes of persons listed in Column 1 are subject to the specific inventory provisions shown, as explained in paragraph (c) (2) of the regulation.

Column 2 shows either the WPB order or regulation which controls the inventories of the particular class of persons, or if no order is specified, there is shown a period of time representing the maximum inventory permitted as explained in paragraph (c) (2). An asterisk (*) indicates that the practicable minimum working inventory limit of paragraph (c) (1) also applies, that is, if it would be less than the specific limit indicated.

Column 3 tells the Division or Office in the War Production Board to which should be sent any appeals or questions regarding the limitations described. However, if the applicable order says appeals are to be filed somewhere else, such as the nearest WPB field office, that provision controls.

Column 4 (Remarks) gives explanations, exemptions or other special rules applicable to the particular class of persons or limitation. Where this column specifies certain materials, the limitation or exemption for the particular class of person applies only to the materials specified.

Classes of persons (1)	Order or limitation (2)	WPB division or office administering the control (3)	Remarks (4)
Bag makers (cotton textiles).....	M-221.....	Textiles.....	Textiles.
High manufacturers.....	M-51.....	Inventory control.....	Applicable only to special high carbon steel in special forms and shapes needed to make files and rasps.
File and rasp manufacturers.....	120 days.....		No inventory restrictions on receipt of controlled materials for making jeweled watches.
Jeweled watch manufacturers.....	None.....	Inventory control.....	Print paper.
Mechanics (cons mtr's soft goods inventory).....	L-210.....	Wholesale and retail trade.....	Newspaper.
Mines.....	P-53.....	Printing and publishing.....	Applicable only to special heat treated, tempered, polished, and colored high carbon steel (harden in an expand or expand steel) for use in the production of piston rings.
Newspapers, publishers of.....	L-210, Schedule 1.....	Printing and publishing.....	**See special rule under "Steel" in table L.
Newspaper, other than newspaper publisher.....	60 days*.....	Inventory control.....	
Piston ring manufacturers.....			
Refrigerators (parts or materials for).....	CMP 6A.....	Service equipment.....	
Rubber and rubber product manufacturers.....	R-1.....	Rubber Bureau.....	
Structural steel for construction.....	".....	Inventory control.....	
Swapping systems, operators of.....	P-141.....	Government.....	
Suppliers.....	L-63.....	Wholesale and retail trade.....	
Telephone operators.....	U-1.....	War utilities.....	
Textile and leather products (MRO supplies).....	P-153.....	Textiles.....	
Transportation systems (MRO supplies).....	P-142.....	Transportation equipment.....	
Utility products (electric power, water and central steam heating).....	U-1.....	War utilities.....	
Water well drillers.....	P-148.....	Service equipment.....	

*Or a practicable minimum working inventory, whichever is less.

TABLE 3—EXEMPTED MATERIALS AND PRODUCTS

NOTE: Table 3 amended Sept. 17, 1945.

Explanation. The following materials and products are exempt from the inventory restrictions on receipts of this regulation and of all other WPB orders or regulations unless they specifically state otherwise.

NOTE: Exemptions from MRO quotas for these materials, formerly in Order M-101, are explained in Direction 28 to CMP Regulation 5.

TABLE 3—EXEMPTED MATERIALS AND PRODUCTS—Continued

REMARKS

(2)

(1)

Abrasive products—made from manufactured or natural abrasives, including all items under CMP code 720

Aluminum in all forms types

Asbestos, unmanufactured, all grades and types

Asbestos building materials

Asbestos friction materials

Asbestos Taps .010—.025 thickness

Asbestos textiles

Batteries, dry cell

Bearings—ball and roller, including all items under CMP code 155

Bending machines for pipe, plate, roll, or structural shapes, including all items under CMP code 356

Borax

Boric Acid

Capital equipment other than that specifically listed

Chains, except stud link anchor, cast steel, power transmission, but including all items under CMP code 712

Cork, raw—corkwood, milling cork, grinding cork

Cranes and Hoists, except Contractors Elevating, Contractors Towing, Crawler Tractor

Motor Truck Mounted, Mine and Smelter Types, but including all items under CMP code 146

Domestic andulucite

Domestic dumortierite

Fibrous glass products

Filles and Rasps, including all items under CMP code 644

Forging Machines, including all items under CMP code 384

Foundry Machinery, Equipment and Supplies, including all items under CMP code 363

Furnaces, metal melting, including all items under CMP code 422

Gages and Precision Measuring Tools, including all items under CMP code 658

Heat Treating Equipment, metal, including all items under CMP code 364

Imenite

Isite fiber and products

Jigs, dies and fixtures

Jute fiber and jute products except burlap

Lamps, incandescent

Machine Tools, non-portable power driven, including all items under CMP code 360

Machine Tool and Metal Working Machine Attachments and Accessories, including all items under CMP code 361

Mechanics Hand Service Tools, including all items under CMP code 647

Metal Outfing Tools, including all items under CMP code 362

Metal Working Machines and Tools, portable, power-driven, including all items under CMP code 365

Only if acquired pursuant to Direction 25 to CMP Regulation 5, or without priorities assistance.

TABLE 3—EXEMPTED MATERIALS AND PRODUCTS—
Continued

Metal Working Presses, hydraulic and mechanical, including all items under CMP code 355

Mineral aggregates:

- Sand
- Gravel
- Crushstone
- Slag

Packings, Gaskets and Oil Seals

Phosphate rock

Pipe fittings, steel and brass

Potter's flint

Pulpwood

Rolling Mill Stands and Attached Equipment, including all items under CMP code 357

Salt (sodium chloride) in bulk

Shears, Punches and Nibblers, power-driven, including all items under CMP code 358

Sodium sulfate (salt cake)

Sodium sulfite

Stoneware clay

Sulphur

Valves, steel and iron

Vermiculite

Waste paper

Wire Drawing Machinery, including all items under CMP code 359

Wood pulp

Wool: Raw wool

INTERPRETATION 1

INVENTORIES IN SEASONAL INDUSTRIES

Paragraph (c) (1) of Priorities Regulation 32 prohibits any person from accepting a delivery which will give him "more than a practicable minimum working inventory reasonably necessary to meet his own deliveries on the basis of his current or scheduled method and rate of operation". This does not prevent a person engaged in a seasonal industry who normally stocks up inventory in advance of the season from accepting delivery of his requirements of the inventory in question, provided (a) that he is not guilty of hoarding, and (b) that the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements. (Issued Aug. 28, 1945.)

INTERPRETATION 2

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

(a) *Applicable provisions of the regulations.* Priorities Regulation 32 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. A similar provision in paragraph (c) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum amount needed."

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation 32 or his "minimum amount needed" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive (and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells or less than his minimum production run of a

product which is mass produced under the conditions explained in Interpretation 3 of Priorities Regulation 1.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the War Production Board for permission, stating the facts and why it is not practicable to satisfy the condition of paragraph (b).

(d) *Special provisions for controlled materials and Class A products.* This interpretation does not apply to deliveries of controlled materials under the Controlled Materials Plan. Rules regarding deliveries of controlled materials are given in Tables 1 and 3 of Priorities Regulation 32, and additional rules for Class A products are explained in Interpretation 9 to CMP Regulation No. 1.

(e) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that he can only get the material in larger quantities, he should apply for a modification of the rating.

(f) *No effect on contractual rights.* The times and amounts in which deliveries are to be made are to be determined by agreement between the supplier and the customer. Nothing in this interpretation relieves a supplier from fulfilling a contract to make deliveries at specified times in specified amounts. For example, if a customer has agreed to buy and a supplier has agreed to furnish 100 units a month for six months, this interpretation does not obligate the buyer to accept 600 units delivered during the first month, although it permits him to do so under the conditions described in paragraph (b). (Issued Aug. 28, 1945)

INTERPRETATION 3

MAKING OR DELIVERING MATERIAL EARLIER THAN REQUIRED BY CUSTOMERS

(a) Paragraph (b) of Priorities Regulation 32 prohibits a person from knowingly making a delivery which will give his customer more than the latter is permitted to receive under the regulation. Paragraph (f) of that regulation prohibits a person from processing or fabricating material if his inventory of the material in its processed or fabricated form will be more than a practicable minimum working inventory. These two restrictions should be borne in mind by any supplier who wants to make or deliver any material to his customer earlier or in greater quantities than required by the customer.

(b) For example: A supplier has accepted his customer's order of a product to be delivered at the rate of 100 a month for six months. The supplier would like to ship 200 a month for three months, or perhaps the entire 600 in the first month. Since the customer's requirements of 100 a month are presumably all he could accept within the inventory limitations of paragraph (c) of the regulation, the requirement that the supplier may not knowingly ship more than this would prevent him from delivering earlier than required by his customer, unless he received notice from his customer that the receipt of the larger amount would not cause him to have an excess inventory.

(c) Thus, before delivering a material or product substantially earlier or in greater quantities than is called for by his customer's order, a supplier is required to satisfy himself that the receipt by the customer of the changed quantities will be within the permissible inventory limitations applicable to the customer. The supplier may rely on any statement or notice to this effect from his customer, unless he knows or has reason to know that it is false.

(d) Similarly, assuming his customer would not be permitted to receive the larger quantities, the supplier should take this into account in his plans for processing the material or product so that he himself will not have an inventory greater than permitted by paragraph (f) of the regulation.

(e) This interpretation, of course, does not change the rule on delivery or acceptance of minimum sale quantities or production runs to the extent described in Interpretation 2 to this regulation, nor does it prevent earlier delivery of controlled materials under the conditions explained in paragraph (b) (4) of CMP Regulation 1 and Interpretation 33 to that regulation. Also, if any WPB order or regulation permits increased deliveries to the extent necessary to avoid shipping partly filled containers (such as paragraph (y) (4) of Order M-300), the rule in this interpretation does not prevent such deliveries. (Issued Aug. 28, 1945)

INTERPRETATION 4

INVENTORY MATERIAL

(a) Paragraph (c) of Priorities Regulation 32 prohibits a person from accepting delivery of material if his inventory of it is, or will be, greater than the maximum prescribed. For the purpose of this regulation, material is considered to be inventory until it is actually put into process or is actually installed or assembled. Putting into process does not include minor initial operations, such as painting, and does not include any shearing, cutting, trimming or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection, testing and ageing nor segregation or earmarking for a specific job or operation.

(b) For example, if a manufacturer who uses wire or rod cuts a sufficient quantity of it to length at one time to maintain his operations for a considerable period of time, the cut pieces remain as inventory until processed into another form or until assembled or installed.

(c) If a manufacturer purchases and stores steel castings in the form purchased, the steel castings are not put into process when the castings are painted and stored. Consequently, the inventory of castings includes those painted and stored.

(d) If a manufacturer shears steel sheet and stocks in sheared form, such stock is still part of his inventory, if the material does not continue in production. (Issued Aug. 28, 1945)

INTERPRETATION 5

EFFECT OF REDUCTION IN CONSUMPTION RATE ON PERMITTED INVENTORIES

(a) Paragraph (c) of Priorities Regulation 32 prohibits the acceptance of delivery of material if a person's inventory of it is, or will be, more than the amount permitted by the regulation. If material is acquired within these restrictions, the regulation does not prohibit the mere possession of an inventory if a change in circumstances makes it greater than the amount permitted. For instance, if based upon current rate of production a manufacturer's permitted inventory of one item of steel is 100 tons and he has in inventory 60 tons, he may receive a further delivery of 40 tons. If after receiving the delivery of 40 tons his rate of consumption, because of contract cancellation or the like, is reduced drastically, the mere fact that he has an inventory of 100 tons, although his permitted inventory may be only 10 tons, is not a violation of the regulation. He may not, of course, accept any further deliveries of that item of steel until his inventory has been reduced below 10 tons (except as provided in paragraph (h) of Priorities Regulation 32 and Direction 3 to that regulation, relating to material already shipped, special items, etc.)

(b) Similarly, the regulation does not affect the liability of a customer for material in inventory when the customer cancels his contract. Such liability is controlled by the provisions of the contract between the customer and his supplier and by contract law. (Issued Aug. 28, 1945)

[F. R. Doc. 45-17322; Filed, Sept. 17, 1945; 11:39 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-773, Reinstatement and Amdt.]

R. L. FAUBION CO.

R. L. Faubion, doing business as R. L. Faubion Company, at 2519 Southwest Boulevard, Kansas City, Missouri, engaged in the manufacture or repair of steel tanks, compressors, automotive lubricating equipment, gasoline pumps and similar items was suspended on May 10, 1945, by Suspension Order No. S-773. He appealed from the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on May 12, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Flood who has dismissed the appeal and directed that the stay be terminated and the suspension order reinstated.

In view of the foregoing, it is hereby ordered, that: § 1010.773 *Suspension Order No. S-773* issued April 30, 1945, and effective May 10, 1945, be and hereby is reinstated effective September 20, 1945, to expire January 18, 1946, the stay of execution directed by the Chief Compliance Commissioner on May 12, 1945, be and hereby is revoked effective September 19, 1945; and that the suspension order be modified by deleting paragraph (a) therefrom.

Issued this 10th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-17591; Filed, Sept. 20, 1945; 11:36 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-902]

C. O. AUSTIN

C. O. Austin operates a saw mill at Gig Harbor, Washington. Between January 5, 1945 and June 23, 1945, he produced in his saw mill and sold 249,486 board feet of lumber, consisting principally of Douglas fir and of small quantities of Western hemlock, Western pine and cedar. All such lumber produced was graded No. 2, or better. 193,536 board feet of this lumber was sold by C. O. Austin on uncertified, unrated and unauthorized orders in violation of Limitation Order L-335. From August 1, 1944 to June 23, 1945, C. O. Austin failed to keep and preserve accurate and complete records of his production, inventory and sale of lumber, in violation of Priorities Regulation No. 1. C. O. Austin was familiar with Limitation Order L-335 and Priorities Regulation No.

1 and his actions constituted grossly negligent violations thereof.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.902 *Suspension Order No. S-902*. (a) C. O. Austin, his successors or assigns, shall not sell or deliver any lumber to customers unless and until he establishes and keeps his business records in conformity with § 944.15 of Priorities Regulation No. 1, as amended.

(b) Nothing contained in this order shall be deemed to relieve C. O. Austin, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same way be inconsistent with the provisions hereof.

(c) This order shall take effect on September 20, 1945, and shall expire December 1, 1945.

Issued this 10th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-17592; Filed, Sept. 20, 1945; 11:36 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-903]

COPELAND LUMBER CO. AND I. C. BRAITHWAITE

The Copeland Lumber Company is a corporation engaged in the retail lumber business in the states of Washington, Oregon and California. It has seven branch lumber yards in the state of Washington, of which one is located at Olympia, and is managed by I. C. Braithwaite. During the period from April 4, to November 24, 1944 the Olympia yard of Copeland Lumber Company supplied new lumber and building materials of the value of \$1603.54 for the construction of a residence which it knew or should have known was being carried on without authorization from the War Production Board and in violation of Conservation Order L-41. The furnishing of these building materials without ascertaining whether or not the construction was authorized by the War Production Board constituted a willful violation of Conservation Order L-41.

Such violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.903 *Suspension Order No. S-903*. (a) Neither the Olympia yard of the Copeland Lumber Company nor I. C. Braithwaite shall for four months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve the Olympia yard of the Copeland Lumber Company and I. C. Braithwaite from any restric-

tion, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to the Olympia yard of the Copeland Lumber Company and I. C. Braithwaite, their successors and assigns, or persons acting on their behalf. Prohibitions against the taking of any action include the taking directly as well as indirectly of any such action.

(d) This order shall take effect on September 20, 1945.

Issued this 10th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-17593; Filed, Sept. 20, 1945; 11:36 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-217, as Amended Sept. 20, 1945]

FOOTWEAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.191 *Conservation Order M-217*—(a) *Applicability of priorities regulations*. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board and Conservation Order M-328, as amended from time to time, except as follows:

(1) Priorities Regulation 17 shall be inapplicable to footwear.

(2) Military footwear which has been rejected by Government inspectors and stamped to indicate its rejection may be sold without regard to Paragraph 944.11 of Priorities Regulation 1 or paragraph (c) (3) of Conservation Order M-328.

(b) *Definitions*. For the purposes of this order:

(1) "Footwear" includes house slippers, but does not include (i) rubber footwear or (ii) foot covering designed to be worn over shoes and utilizing no leather.

(2) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(3) "House slippers" means any footwear designed exclusively for indoor or house wear.

(4) "Line" means footwear of any one of the following types:

Men's dress
Men's work
Youths' and boys'
Women's and growing girls'
Misses' and children's
Infants'
House slippers

Athletic
Men's safety shoes, and
Women's safety shoes

to the extent that such type of footwear is manufactured for sale by the manufacturer in a price range where the highest list price does not exceed the lowest by more than 10% or 25¢ a pair (whichever is greater): *Provided, That:*

(i) Footwear of identical kind and quality sold at different prices to different types of purchasers may be included in one line if the highest price in the range is an actual price at which this footwear was sold during the base period, and the concession price for the same footwear is not more than 15% below the highest price in the range.

(ii) In case the sale by the manufacturer is at retail or to a purchaser which controls, is controlled by, or is subject to common control with, the manufacturer, then the applicable price range shall be the retail price range.

(iii) Up to and including the net wholesale price shown on the following schedule, each type of footwear listed may be deemed one line:

Type:	Maximum net wholesale price per pair
Misses' and children's.....	\$1.75
Youths' and boys' (without leather).....	1.90
Youths' and boys' (utilizing leather).....	2.50
Women's and growing girls' (including safety) (without leather).....	1.90
Women's and growing girls' (including safety) (utilizing leather).....	2.50
Men's work, dress and safety (without leather).....	1.90
Men's work, dress and safety (utilizing leather).....	3.00
House slippers (with or without leather).....	1.60
Infants', sizes 0-4 (utilizing leather).....	.90
Infants', sizes 0-4 (made without leather).....	.75
Infants', sizes 4½ to 8 (with or without leather).....	1.35

Note: For the purposes of this schedule, footwear utilizing no leather except for heel top lifts shall be considered as having been made without leather.

(iv) Nothing in this order shall be deemed to permit overlapping price lines.

(5) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for

delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(6) "Civilian footwear" as used in paragraph (f) includes all footwear except military footwear and rubber footwear.

(7) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 through April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(8) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period, as set forth on his base period report.

(9) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(c) *Restrictions on attaching outsoles.* No person shall attach to any footwear (except infants' footwear, house slippers or women's gold or silver evening slippers) outsoles, other than wooden soles, not conforming to the specifications contained in Schedule I annexed to this order.

(d) *General exceptions.* None of the restrictions of this order shall apply to military footwear, or to footwear made as trials or pullovers but not sold.

(e) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker, or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for nonmilitary use shall not constitute a discriminatory cut.

(f) *Restrictions on production of lines of footwear.* (1) No person shall, dur-

ing the four month period beginning September 1, 1945, or in any subsequent four month period, complete the manufacture of more civilian footwear within any line than the percentage of his civilian line quota for such line shown on the following schedule:

Each line of youths' and boys' shoes.....	100
Each line of men's safety shoes.....	100
Each line of men's work shoes.....	100
Each line of men's dress shoes.....	80
Each line of women's and growing girls' shoes.....	80
Each line of house slippers.....	80
Each line of athletic shoes.....	80
Each line of women's safety shoes.....	80

With respect to (i) infants' footwear and (ii) misses' and children's footwear, no manufacturer may exceed 100% of his aggregate civilian line quotas for all lines of infants' footwear, and no manufacturer may exceed 100% of his aggregate civilian line quotas for all lines of misses' and children's footwear, but his production within each of these two types of footwear may be distributed among his established lines in any manner desired, except that the production in any line consisting of less than 50 pairs or 2% of the total production of that type of footwear (whichever is greater) during the base period may not be increased by more than 25%;

Provided, however, That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows an increase over that during the six months' base period, each civilian line quota of such manufacturer shall be diminished by its proportionate part of such increase.

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) *Exceptions to paragraphs (f) (1) and (f) (2).* (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to the quota of a lower priced line of the same type of civilian footwear.

Any person may add 100% of the unused portion of his civilian line quota or quotas of men's dress and women's and growing girls' shoes to his quotas of the types shown below:

Type:	
Men's work shoes	
Youths' and boys' shoes	
Misses' and children's shoes	
Infants' shoes	

In no event shall any unused quota be added to a higher priced line.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) During the four month period beginning September 1, 1945, or in any subsequent four month period a manufacturer whose total production for the period will be less than \$200,000 (based on wholesale value) is not subject to paragraph (f) (1), provided that no new higher priced lines are added and provided the manufacturer does not exceed his aggregate production in pairs during his six months' base period by more than 40%. The exemption in this paragraph shall not apply to a manufacturer affiliated, as a subsidiary or otherwise with another or others. This paragraph shall not authorize any manufacturer to increase his production by more than 40% in any line consisting of less than 50 pairs or 2% of his total production of that type of footwear (whichever is greater) during the base period.

(v) Paragraphs (f) (1) and (f) (2) shall not apply to footwear for the physically maimed or deformed on a custom-made basis and not for stock, to wood sole clogs utilizing no leather, to shearling or fur house slippers utilizing no other leather (except for outsoles), or to footwear shown on the following schedule if manufactured for sale at or below the net wholesale prices shown opposite the respective types:

Type:	Maximum net wholesale price per pair
Misses' and children's	\$1.75
Youths' and boys' (without leather)	1.90
Youths' and boys' (utilizing leather)	2.50
Women's and growing girls' (including safety) (without leather)	1.90
Women's and growing girls' (including safety) (utilizing leather)	2.50
Men's work, dress and safety (without leather)	1.90
Men's work, dress and safety (utilizing leather)	3.00
House slippers (with or without leather)	1.60
Infants', sizes 0-4 (utilizing leather)	.90
Infants', sizes 0-4 (made without leather)	.75
Infants', sizes 4½ to 8 (with or without leather)	1.35

NOTE: For the purposes of this schedule, footwear utilizing no leather except for heel top lifts shall be considered as having been made without leather.

However, any person who wishes to produce shoes under the foregoing exemption must so notify the War Production Board by letter, stating the types of shoes to be made, the materials to be used, the price ranges and his estimated four months' production. A person who has not previously produced shoes in such price ranges must obtain specific price approval from the Office of Price Administration. In no case, may a person commence the production of shoes under this exemption until he has received acknowledgment from the War Production Board of the receipt of the letter of intention to produce and, where pertinent, of evidence of price approval from the Office of Price Administration.

(vi) The War Production Board may authorize transfers of quotas of footwear from one line or type to any other line or type and new or additional production in each line or type. It will in gen-

eral be the policy of the War Production Board to authorize new or additional production in lines which will not require materials, components, facilities or labor needed for war purposes, and will not otherwise adversely affect or interfere with production for war or essential civilian purposes. Authorization will not be dependent upon the applicant's having been engaged in the production of shoes during the base period.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the pairs desired to be made in each price range, the source of the manpower that will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. Authorization of production of new lines under this paragraph will be made only with the condition that production may not begin until evidence is furnished of conformity with applicable Office of Price Administration regulations.

The War Production Board will issue footwear manufacturers' quota numbers for quotas authorized by the War Production Board or established because of base period production.

Production in new price lines, or increased production in established lines, may be granted by the War Production Board to cover production of civilian footwear purchased by or on behalf of United Nations Relief and Rehabilitation Administration or any other agency for foreign relief purposes.

(vii) Manufacturers qualifying for an increase in price on footwear with non-marking synthetic rubber soles, or soles and heels, under Order No. 13 under § 1499.3 (e) (3) of General Maximum Price Regulations, issued by the Office of Price Administration, may disregard such increase for the purposes of this paragraph (f). However, where the increase results in production of shoes in a higher price line, the number of pairs so produced shall be reported separately on the manufacturer's production report at the actual price, as indicated in the revised directions to said form.

(viii) Where a manufacturer produced in his base period a line of misses' and children's footwear of less than 50 pair or 2% of his total production of that type, he may increase his production of this line in any four month period to not more than six times his lawful production of the line in January, 1945. Provided, That, he deducts the production in excess of 100% of his base period production in this line from his other lines of misses' and children's shoes.

(ix) Any person with an established quota or quotas for the production of women's and growing girls' shoes may produce up to 10% of his aggregate quota or quotas in women's all-over genuine reptile (including frog) shoes in any line or lines at a net wholesale price of \$4.50 per pair or less, provided that the number of pairs of shoes produced under this paragraph (f) (3) (ix) is counted as pro-

duction against the quota for that line or those lines, if any. In the event that there is no quota in a line in which such shoes are being produced, or that the number of pairs in the quota for that line does not equal the number of all-over genuine reptile (including frog) shoes produced, the number of such shoes produced must be counted as production against the quota for that line, if any, and for the next lower lines in descending order as to price as far as is necessary, and exhausting the quota of each line before proceeding to the next lower line. Records must be kept of the number of all-over genuine reptile shoes produced in each line.

(x) Subject to the rules stated in this paragraph (f) (3) (x), any person who has no quota for the production of footwear, may produce for the four month period beginning September 1, 1945, and for each subsequent four month period, 24,000 pairs in any line or lines; any person whose civilian line quotas total less than 24,000 may increase his quota to 24,000 pairs in any line or lines for the same four month period; and any person whose aggregate quotas total more than 24,000 pair may transfer up to 24,000 pairs to any line or lines.

A person who has no quota, and a person whose production under this paragraph (f) (3) (x) will result in the manufacture of a type for which he has no quota or in a price range higher than his highest established price range for the same type of footwear, must obtain evidence of specific approval of his prices from the Office of Price Administration and submit it by registered mail to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref: M-217, together with a letter stating the number of pairs he intends to produce in each new price range and new type, and the kinds of materials he intends to use.

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed. After July 11, 1944, lines manufactured by any person in his six months' base period as previously filed with the War Production Board may not be revised, except to bring them into conformity with this order.

(c) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) Records. All persons affected by this order shall keep and preserve records concerning their operations in accordance with § 944.15 of Priorities Regulation 1.

(i) Reports. All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M-217.

(k) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—SPECIFICATIONS FOR SOLES

Abrasion. The material shall have a resistance to abrasion of not less than 4000 revolutions to abrade 50% of the thickness of the material, when tested on the type of machine used by and following the procedure of the National Bureau of Standards. The material may be tested on any other abrasive testing machine, using an appropriate number of abrasive strokes of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 32° F. and testing at that temperature, when bent 180° over a 3-inch mandrel. The material shall not crack, after aging for 48 hours at 120° F. \pm 2° F. and reconditioning at 65 per cent \pm 2 per cent relative humidity and 120° F. \pm 2° F. when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120° F. \pm 2° F. for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 25 pounds when tested immediately after soaking in water for 4 hours. When the outsole is cemented securely to a backer or midsole, the test shall be made of the combined assembly.

Effect of water. After submerging in water at 75° F. \pm 2° F. for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 20 per cent.

INTERPRETATION 1; Revoked August 27, 1945.
INTERPRETATION 2; Revoked August 7, 1945.
INTERPRETATION 3; Revoked August 26, 1944.
INTERPRETATION 4; Revoked May 1, 1945.
INTERPRETATION 5; Revoked June 14, 1945.
INTERPRETATION 6; Superseded Nov. 9, 1944.
INTERPRETATION 7; Superseded Nov. 9, 1944.

[F. R. Doc. 45-17589; Filed, Sept. 20, 1945;
11:37 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-352]

EXPORT OF AUTOMOBILES AND TRUCKS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of automobiles and trucks for defense, for private account and for export; and the

following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.136 *General Limitation Order L-352*—(a) *Definitions.* For the purposes of this order:

(1) "Automobile" means any self-propelled vehicle designed for the purpose of carrying passengers, or the chassis therefor, with a seating capacity of not more than ten persons, including station wagons, taxicabs and coupes with or without pickup boxes, but not including ambulances, hearses or sedan deliveries.

(2) "Truck" means any light, medium or heavy motor truck, truck-tractor or the chassis therefor, or any chassis on which a bus body is to be mounted and which (i) was designed to be propelled or drawn by mechanical power; (ii) was designed for use on or off-the-highway, for transportation of property or persons. This definition includes vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, bus chassis, carry-all sub-urbans, sedan deliveries and cab pickups, but does not include station wagons, coupes, fitted with pickup boxes, ambulances, hearses, taxicabs and integral type busses.

(b) *Limitations on production for export, and on export.* No producer of automobiles or trucks shall produce for export, or shall export, to any foreign country including Canada, any such vehicles in excess of the quantities authorized for such purposes by the War Production Board pursuant to this order. Exports of automobiles and trucks to any country other than Canada are subject to the export license requirements of the Foreign Economic Administration.

(c) *Export quotas for new exporters and adjustments of quotas.* Producers of automobiles and of trucks who have not previously exported such vehicles, and producers who desire adjustments in their export quotas may apply to the Automotive Division, War Production Board, Washington 25, D. C.

(d) *Reports.* Producers of automobiles and trucks shall report monthly to the War Production Board, the production of automobiles on Form WPB-4300 and the production of trucks on Form WPB-4341, in accordance with the instructions accompanying the forms.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment.

(f) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: Automotive Division, War Production Board, Washington 25, D. C., Ref: Order L-352.

Issued this 19th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-17521; Filed, Sept. 19, 1945;
11:36 a. m.]

Chapter XI—Office of Price Administration

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[RMFR 136, Amdt. 11]

MACHINES, PARTS, AND INDUSTRIAL EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 136 is amended in the following respects:

1. Section 19 is amended by adding the following paragraphs (f), (g) and (h):

(f) *Drop forgings, metal stampings and screw machine products.* The maximum prices for sales by a manufacturer to any purchaser of any new drop forgings, metal stampings or screw machine products for which the manufacturer had a published list price or an established price in effect on the base date shall be the prices established under section 7 or computed under section 8, increased by 8%. For the purposes of this section, the term "drop forgings" is confined to such of these forgings as are subject to Revised Maximum Price Regulation 136 as machines, or parts or subassemblies of machines, listed in Appendix A.

(g) *Radio tubes*—(1) *Definition.* For the purposes of this section the term "radio tubes" means radio receiving tubes, prices of which were filed with the Office of Price Administration in accordance with the requirements of Revised Price Schedule 84 or Maximum Price Regulation 136, as amended, or may hereafter be filed in accordance with section 25 (a) of this regulation, and which were in actual use for radio receiver purposes in March, 1942. The term does not mean special purpose and transmitting tubes or any tubes not made in March, 1942, or tubes for which list prices were not established on March 31, 1942.

(2) For the purposes of the increased prices provided by this paragraph, the phrase "base date prices" shall mean the maximum prices in effect on March 31, 1942, as established by Revised Price Schedule 84.

(3) The maximum prices for sales by manufacturers of new radio tubes, except sales of new radio tubes to resellers or sales for replacement purposes, shall be the higher of the following prices:

(i) For unmodified tubes, the maximum prices established by section 7 or the base date prices increased by 10.4%.

(ii) For modified tubes, the maximum prices computed under section 8 or the maximum prices computed under section 8 using the base date prices increased by 10.4% as the "established price in effect on the base date."

(h) *Radio parts*—(1) *Definition.* For the purposes of this section the term "radio parts" means all parts and appliances designed for incorporation in radio receivers, electrical phonographs, and radio phonograph combinations (except radio tubes, metal stampings and screw machine products) prices of which were filed with the Office of Price Administration in accordance with the requirements of Revised Price Schedule 84 or Maximum Price Regulation 136, as

amended, or may hereafter be filed in accordance with section 25 (a) of this regulation, and which were in actual use for radio receiver, electric phonograph, and radio phonograph combination purposes in March, 1942.

(2) For the purposes of the increased prices provided by this paragraph, the phrase "base date prices" shall mean the maximum prices in effect on March 31, 1942, as established by Revised Price Schedule 84.

(3) The maximum prices for sales by manufacturers of any new radio parts for the purpose of installation in radio receivers, electric phonographs, or radio phonograph combinations, except sales of new radio parts to resellers or sales for replacement purposes, shall be the higher of the following:

(i) For unmodified radio parts, the prices established under section 7 or the base date prices increased by the following percentages:

	Percent
Coils for radio equipment, radio transformers and chokes.....	11
Variable capacitors, speakers and speaker parts.....	9
Fixed capacitors and parts for electric phonographs or electric phonographs combined with radios.....	7
All other radio parts.....	5

(ii) For modified radio parts, the prices computed under section 8 or the prices computed under section 8 using the base date prices increased by the percentages listed in the preceding subparagraph as the "established price in effect on the base date".

2. Appendix A: Products Covered by the Regulation, is amended by adding the following products and base date:

Electric phonographs and electric radio phonograph combination parts when sold by the manufacturer of the part or when sold to industrial, commercial or governmental users, March 31, 1942.

This amendment shall become effective September 19, 1945.

Issued this 19th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17551; Filed, Sept. 19, 1945; 4:20 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 351, Amdt. 6]

FERROUS FORGINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 351 is amended in the following respects:

1. Section 1390.204 (b) is amended to read as follows:

(b) *Maximum prices.* For any ferrous forging for which the manufacturer had a list price in effect on October 1, 1941, the maximum price to any purchaser shall be such list price increased by 8% and adjusted for all extra charges,

discounts, or allowances in use by the manufacturer on October 1, 1941, for a purchaser of the same class.

2. Section 1390.205 is amended to read as follows:

§ 1390.205 *Maximum prices; forgings without list prices*—(a) *General rule.* If the manufacturer had no list price in effect on October 1, 1941, the first applicable of the following prices shall be used:

(1) For any ferrous forgings which the manufacturer contracted to sell during the period April 1 to October 1, 1941, and at least once at any time prior to the last sale in that period, the maximum price shall be the net price at which the manufacturer last agreed to sell the forging during that period increased by 8%;

(2) For any forgings which the manufacturer contracted to sell at least twice prior to October 1, 1941, the maximum price shall be either (i) the net price at which the manufacturer last agreed to sell the forging increased by 8%, or (ii) the price computed under the provisions of § 1390.207.

There follows certain modifications of these rules.

(b) *Purchases of different classes.* If the price is established in any manner under paragraph (a) except by computation under § 1390.207 and the net price for the last sale prior to October 1, 1941 was applicable to purchasers of a particular class only, maximum prices to purchasers of other classes shall be determined by the use of the differentials in the price between different classes of purchasers which the manufacturer had in effect on October 1, 1941.

(c) *Quantity differentials.* If the price is established in any manner under paragraph (a) except by computations under § 1390.207 and the net price for the last sale prior to October 1, 1941 was applicable only to an order of a particular quantity, the maximum price applicable to an order of a smaller quantity may be adjusted, and for a larger quantity shall be adjusted, to reflect the difference in unit cost of producing the smaller or larger quantity: *Provided*, That the manufacturer customarily applied equivalent quantity differentials of the same nature, that is, based on differences in unit cost, on October 1, 1941. The difference in unit cost of producing the smaller or larger quantity shall be calculated on the basis of the price determin-

ing method and cost-estimating methods which the manufacturer used on October 1, 1941, in accordance with the applicable provisions of § 1390.207.

(d) *Comparable forgings.* For any ferrous forging for which the manufacturer had no list price in effect on October 1, 1941, and which is not priced under paragraph (a) except by computations under § 1390.207, but which is closely comparable to a forging the manufacturer agreed or offered to sell and which is priced under paragraph (a), except by computations under § 1390.207, the maximum price shall be the price for the most comparable forging established under paragraph (a) plus or minus the difference in total unit cost resulting from the change in specifications: However, this pricing method may be used only if it was the practice of the manufacturer on July 22, 1942, to calculate prices of forgings on the basis of prices previously charged for comparable forgings. For the purposes of this paragraph, total unit costs shall be calculated on the basis of the price-determining method and cost estimating methods which the manufacturer used on October 1, 1941, in accordance with the applicable provisions of § 1390.207. Changes in materials used, in tolerances, and in tests required may all be regarded as specification changes.

This amendment shall become effective September 19, 1945.

Issued this 19th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17552; Filed, Sept. 19, 1945; 4:20 p. m.]

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 564, Amdt. 8]

FOUNTAIN PENS AND MECHANICAL PENCILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 564 is amended in the following respects:

1. Section 23 is amended by including the following manufacturers and adding retail ceiling prices for their fountain pens and mechanical pencils as set forth below:

Name	Brand	Article	Model	Retail ceiling price
Larter and Sons.....		Fountain pen.....	701C.....	\$20.00
		do.....	701-1C.....	31.00
		do.....	703C.....	20.00
		do.....	703-1C.....	21.00
		Fountain pen and pencil.....	705C.....	20.00
		do.....	705-1C.....	32.00
		do.....	705C.....	23.00
		do.....	705-1C.....	20.00
		Mechanical pencils.....	2501C.....	20.00
		do.....	2501-1C.....	21.50
		do.....	2504C.....	12.00
		do.....	2504-1C.....	17.50
		do.....	2501C.....	13.00
		do.....	2501-1CD.....	19.00
		do.....	2570C.....	20.00
		do.....	2570-1C.....	21.50
		do.....	2570 pl.....	12.00
		do.....	2570-1.....	13.00

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,¹ Incl.
Amdts. 1-36]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS²

This compilation of Designation and Rent Declaration 31 includes Amendment 36, effective October 1, 1945. The items added or amended by Amendment 36 are indicated by notes.

In the judgment of the Price Administrator, defense activities have resulted or threatened to result in increases in the rents for housing accommodations in the

areas designated in § 1388.1341 inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the said act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for defense-area housing accommodations within the defense-rental areas designated in § 1388.1341;

Therefore, under the authority vested in the Price Administrator by said act, this designation and rent declaration is issued.

Sec.

- 1388.1341 Designation.
1388.1342 Necessity.
1388.1343 Recommendations.
1388.1344 Maximum rent regulation.
1388.1345 Effective date.

AUTHORITY: §§ 1388.1341 to 1388.1345, inclusive, issued under 56 Stat. 23, 765.

§ 1388.1341 *Designation.* The following areas are hereby designated by the Price Administrator as areas where defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute defense-rental areas to be known by the names listed in the following table:

Name of defense-rental area	In State of—	Defense-rental area consists of—	Name of defense-rental area	In State of—	Defense-rental area consists of—
(1) Alabama.....	Alabama.....	That portion of the State of Alabama not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Baldwin, Coffee, Pickens, and Pike.	(11) Iowa.....	Iowa.....	Henry, Monroe, Porter, Pottawamott, and Wayne.
(2) Arizona.....	Arizona.....	That portion of the State of Arizona not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except that portion of Mohave County which is south of the Colorado River, and in Navajo County the Supervisorial Districts 1 and 2, except those portions lying within the Navajo Indian Reservation and the Sitgreaves National Forest.	(12) Kansas.....	Kansas.....	That portion of the State of Kansas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Barton, Cloud, Ellis, Finney, Ford, Gray, Morris, Russell, Scott, Shaw, and Stafford.
(3) Arkansas.....	Arkansas.....	That portion of the State of Arkansas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Dallas, Johnson, Nevada, and Randolph.	(13) Kentucky.....	Kentucky.....	That portion of the State of Kentucky not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Ballard, Boyle, Clark, Davies, Fayette, Graves, and Warren.
(4) California.....	California.....	That portion of the State of California not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Imperial, and San Benito.	(14) Louisiana.....	Louisiana.....	That portion of the State of Louisiana not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area.
(5) Colorado.....	Colorado.....	That portion of the State of Colorado not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Boulder, Chaffee, Garfield, Mesa, and Weld.	(15) Maine.....	Maine.....	That portion of the State of Maine not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the City of Bangor, and the Towns of Luke, Perry, Penobscot, and Robbinston, in the County of Washington.
(6) Florida.....	Florida.....	That portion of the State of Florida not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area except the Counties of Broward, Charlotte, Columbia, Dade, Indian River, Palm Beach, St. Johns, St. Lucie, Santa Rosa, Sarasota, Seminole, Taylor, Volusia, Wakulla, and Walton.	(16) Maryland.....	Maryland.....	That portion of the State of Maryland not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Allegany, Calvert, Dorchester, Frederick, St. Marys, Wicomico, and Worcester.
(7) Georgia.....	Georgia.....	That portion of the State of Georgia not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Floyd, Hall, Laurens, Long, Sumter, Thomas, and Ware.	(17) Dukes-Nantucket.....	Massachusetts.....	Counties of Dukes and Nantucket.
(8) Idaho.....	Idaho.....	That portion of the State of Idaho, not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Ada, Canyon, Cassia, Elmore, Minidoka and Twin Falls.	(18) Michigan.....	Michigan.....	That portion of the State of Michigan not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Grand Traverse, Houghton, and Shingleton.
(9) Illinois.....	Illinois.....	That portion of the State of Illinois, not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of De Kalb, Fulton, Kankakee, Knox, La Salle, McDonough, McHenry, Stephenson, and Mason.	(19) Minnesota.....	Minnesota.....	That portion of the State of Minnesota, not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Clay and Olmsted.
(10) Indiana.....	Indiana.....	That portion of the State of Indiana not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Gibson,	(20) Mississippi.....	Mississippi.....	That portion of the State of Mississippi not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Jones, Lamar, and Warren.
			(21) Missouri.....	Missouri.....	That portion of the State of Missouri not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the county of Buchanan.
			(22) Montana.....	Montana.....	That portion of the State of Montana not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the county of Yellowstone.

¹ 9 F.R. 5823.

² Title amended by Am. 9.

Name of defense rental area	In State of—	Defense-rental area consists of—	Name of defense rental area	In State of—	Defense-rental area consists of—
(23) Nebraska.....	Nebraska.....	That portion of the State of Nebraska, not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Adams, Buffalo, Clay, Dakota, Dawes, Fillmore, Jefferson, Lincoln, Phelps, Red Willow, Thayer, and York.	(38) Texas.....	Texas.....	That portion of the State of Texas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area except the Counties of Bee, Brazos, Brewster, Collin, Collingsworth, Cottle, Denton, Gregg, Hall, Hardeman, Kerr, Smith, Uvalde, Val Verde, Webb, Winkler, Wood, and that portion of the City of Willsboro in Franklin County and Justices' Precincts 1, 6, and 7 in the County of Caldwell.
(24) Nevada.....	Nevada.....	That portion of the State of Nevada not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except that portion of Elko County situated within a radius of three miles from the center of United States Highway 40, where the said highway crosses the Nevada-Utah State line, and those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.	(39) Utah.....	Utah.....	That portion of the State of Utah not heretofore designated by the Price Administrator as part of any defense-rental area.
(25) New Hampshire.....	New Hampshire.....	That portion of the State of New Hampshire not heretofore designated by the Price Administrator as part of any defense-rental areas.	(40) Vermont.....	Vermont.....	That portion of the State of Vermont not heretofore designated by the Price Administrator as part of any defense-rental area.
(26) Ocean.....	New Jersey.....	County of Ocean.	(41) Virginia.....	Virginia.....	That portion of the State of Virginia not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Accomac, Frederick, Northampton, Roanoke, Shenandoah, and Warren, and the Independent Cities of Danville, Roanoke, and Winchester, and in Pittsylvania County, the Magisterial Districts of Tunstall and Dan River and in Rockbridge County, the Magisterial District of Lexington.
(27) New Mexico.....	New Mexico.....	That portion of the State of New Mexico not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Curry, De Baca, Quay, Roosevelt, San Miguel, Santa Fe, and the portion of Valencia County lying east of the Rio Puerco River.	(42) Washington.....	Washington.....	That portion of the State of Washington not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except that portion of Grant County lying between the south line of Township 23 North and the north line of Township 19 North, and Mason County, and in the County of Benton the Precincts of Finley, South Kennewick, Kennewick Gardens, Kennewick Valley, Kennewick, Richland, Benton City, Garley, Columbia, East Prosser, Expansion, Hanford, Highlands-Horn Rapids, Hoover, Klona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Thurston, Walnut Grove, Wellington, West Prosser, and White Bluffs.
(28) New York.....	New York.....	That portion of the State of New York not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, and the county of Rockland.	(43) West Virginia.....	West Virginia.....	That portion of the State of West Virginia, not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Berkeley, Harrison, and Logan, and the Magisterial District of Pocatalico in the County of Putnam.
(29) North Carolina.....	North Carolina.....	That portion of the State of North Carolina not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Alamance, Buncombe, Chowan, Edgecombe, Forsyth, Granville, Moore, Nash, Pender, Perquimans, Wake, and Washington.	(44) Wisconsin.....	Wisconsin.....	That portion of the State of Wisconsin, not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Buffalo, La Crosse, and Pepin, that portion of the City of Waupun in the County of Dodge, and that portion of the City of Kiel in the County of Calumet.
(30) North Dakota.....	North Dakota.....	That portion of the State of North Dakota, not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Cass and Ward.	(45) Wyoming.....	Wyoming.....	That portion of the State of Wyoming not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Converse and Hot Springs, and that portion of Big Horn County lying outside the Big Horn National Forest and that portion of Park County lying outside of the Shoshone National Forest.
(31) Ohio.....	Ohio.....	That portion of the State of Ohio, not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the counties of Clinton, Fayette, Guernsey and Licking.	(46) Cape Charles.....	Virginia.....	County of Northampton.
(32) Oklahoma.....	Oklahoma.....	That portion of the State of Oklahoma not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the counties of Beckham, Canadian, Carter, Custer, Jackson, Pottawatomie, Stephens, Texas, Tillman and Washita.	(47) Laredo.....	Texas.....	County of Webb.
(33) Oregon.....	Oregon.....	That portion of the State of Oregon not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Douglas, Klamath, Lane, and Tillamook.	(48) Lako City.....	Florida.....	County of Columbia.
(34) Pennsylvania.....	Pennsylvania.....	That portion of the State of Pennsylvania not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Bradford, Clinton and Elk.	(49) Boise.....	Idaho.....	Counties of Ada and Elmore.
(35) South Carolina.....	South Carolina.....	That portion of the State of South Carolina not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the counties of Colleton, Darlington, Florence, Georgetown, Marion, and Orangeburg and in the County of Horry, the townships of Conway, Dogwood Neck, and Socastee.	(50) Kankakee.....	Illinois.....	County of Kankakee.
(36) South Dakota.....	South Dakota.....	That portion of the State of South Dakota not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the County of Codington.	(51) La Salle County.....	do.....	County of La Salle.
(37) Tennessee.....	Tennessee.....	That portion of the State of Tennessee not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Anderson, Loudon, and Roane.	(52) Hutchinson.....	Kansas.....	County of Reno.
			(53) Dodge City.....	do.....	Counties of Finney, Ford, and Gray.
			(54) Kearney.....	Nebraska.....	County of Buffalo.
			(55) Southern Pines.....	North Carolina.....	County of Moore.
			(56) Clinton-Elk City.....	Oklahoma.....	Counties of Beckham, Custer, and Washita.
			(57) Florence.....	South Carolina.....	County of Florence.
			(58) Bryan.....	Texas.....	County of Brazos.
			(59) Del Rio.....	do.....	Counties of Kinney, Uvalde, and Val Verde.
			(60) Hastings.....	Nebraska.....	Counties of Adams and Clay.
			(61) Ottumwa.....	Iowa.....	County of Wapello.
			(62) Miami.....	Florida.....	County of Dade and in the county of Broward, the City of Hollywood and the town of Hallandale.
			(63) Americus.....	Georgia.....	County of Sumter.

*Item amended.

Name of defense rental area	In State of—	Defense rental area consists of—	Name of defense rental area	In State of—	Defense rental area consists of—
(64) Macomb-Canton.....	Illinois.....	Counties of Fulton, McDonough, and Mason.	(123) Lamar County.....	Mississippi.....	County of Lamar.
(65) Laurel.....	Mississippi.....	County of Jones.	(127) Belton.....	New Mexico.....	That portion of Valencia County lying east of the Rio Puerco River. County of Fayette.
(66) McCook.....	Nebraska.....	County of Red Willow.	(128) Washington Court House.....	Ohio.....	County of Fayette.
(67) Burlington, N. C.....	North Carolina.....	County of Alamance.	(129) Cody-Lovell.....	Wyoming.....	That portion of Big Horn County lying outside of the Big Horn National Forest and that portion of Park County lying outside of the Shoshone National Forest.
(68) Altus.....	Oklahoma.....	County of Jackson.	(130) Bloomington, Ind.....	Indiana.....	County of Monroe.
(69) Atlantic County.....	New Jersey.....	County of Atlantic.	(131) Lone County.....	Oregon.....	County of Lane.
(70) Brady.....	Texas.....	County of McCulloch.	(132) Punta Gorda.....	Florida.....	County of Charlotte.
(71) Ephrata.....	Washington.....	That portion of Grant County lying between the south land of Township 23 North and the north land of Township 16 North.	(133) Troy, Ala.....	Alabama.....	County of Pike.
(72) Baldwin County.....	Alabama.....	County of Baldwin.	(134) Daytona Beach.....	Florida.....	County of Volusia.
(73) Fort Pierce.....	Florida.....	County of St. Lucie.	(135) St. Joseph.....	Missouri.....	County of Buchanan.
(74) San Miguel County.....	New Mexico.....	County of San Miguel.	(136) Holdrege.....	Nebraska.....	County of Phelps.
(75) La Crosse.....	Wisconsin.....	County of La Crosse.	(137) Duncan.....	Oklahoma.....	County of Stephens.
(76) Great Bend.....	Kansas.....	Counties of Barton, Ellis, Pawnee, and Russell.	(138) Guyman.....	Oklahoma.....	County of Texas.
(77) Asheville.....	North Carolina.....	County of Buncombe.	(139) Kerrville.....	Texas.....	County of Kerr.
(78) Rocky Mount.....	do.....	Counties of Edgecombe and Nash.	(140) Danville, Va.....	Virginia.....	The Independent City of Danville, and in Pittsylvania County the Magisterial Districts of Tunstall and Dan River.
(79) Lockhart.....	Texas.....	Justices' Precincts 1, 6, and 7 in the County of Caldwell.	(141) Mt. Vernon, Ind.....	Indiana.....	County of Perry.
(80) Sweetwater.....	do.....	County of Nolan.	(142) Princeton, Ind.....	Indiana.....	County of Gibson.
(81) Hillsdale.....	Michigan.....	County of Hillsdale.	(143) Valparaiso.....	Indiana.....	County of Porter.
(82) Martinsburg.....	West Virginia.....	County of Berkeley.	(144) Concordia.....	Kansas.....	County of Cloud.
(83) Galesburg.....	Illinois.....	County of Knox.	(145) Council Grove.....	Kansas.....	County of Morris.
(84) Pender County.....	North Carolina.....	County of Pender.	(146) Stafford County.....	Kansas.....	County of Stafford.
(85) Douglas.....	Wyoming.....	County of Converse.	(147) Bowling Green.....	Kentucky.....	County of Warren.
(86) St. Augustine.....	Florida.....	County of St. Johns.	(148) Mayfield.....	Kentucky.....	County of Graves.
(87) Dublin.....	Georgia.....	County of Laurens.	(149) Traverse City.....	Michigan.....	County of Grand Traverse.
(88) Thomasville.....	do.....	Thomas County and these portions of the towns of Pavo and Barwick in Brooks County and that portion of the town of Mads in Mitchell County.	(150) Vicksburg, Miss.....	Mississippi.....	County of Warren.
(89) Sioux City.....	Iowa.....	County of Woodbury.	(151) Billings.....	Montana.....	County of Yellowstone.
(90) Pratt.....	Nebraska.....	County of Dakota.	(152) Plymouth.....	North Carolina.....	County of Washington.
(91) Owensboro.....	Kansas.....	County of Pratt.	(153) Raleigh.....	North Carolina.....	County of Wake.
(92) Frederick.....	Kentucky.....	County of Davies.	(154) Winston-Salem.....	North Carolina.....	County of Forsyth.
(93) Lenoir City.....	Maryland.....	County of Frederick.	(155) Minnehaha.....	Texas.....	County of Wood and that portion of the City of Winterton in Franklin County.
(94) Owsos.....	Tennessee.....	County of Loudon.	(156) Logan.....	West Virginia.....	County of Logan.
(95) Myrtle Beach.....	Michigan.....	County of Shiawassee.	(157) New Castle.....	Indiana.....	County of Henry.
(96) Grand Junction.....	South Carolina.....	In the county of Horry, the townships of Conway, Dogwood Neck, and Socastee.	(158) Cumberland.....	Maryland.....	All County.
(97) Rochester.....	Colorado.....	County of Mesa.	(159) North Platte.....	Nebraska.....	Lincoln.
(98) Clarksville.....	Minnesota.....	County of Olmsted.	(160) Minot.....	North Dakota.....	Ward.
(99) Fairbury-York.....	Arkansas.....	County of Johnson.	(161) Wilmington.....	Ohio.....	Clinton.
(100) Goldfield-Tonopah.....	Nebraska.....	Counties of Fillmore, Jefferson, Thayer, and York.	(162) Watertown.....	South Dakota.....	Codington.
(101) Shawnee.....	Nevada.....	Those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.	(163) Memphis-Quannah.....	Texas.....	Collingsworth, Cottle, Hall, and Hardeman Counties, Texas.
(102) McKinney.....	Oklahoma.....	County of Pottawatomie.	(164) Nampan-Caldwell.....	Idaho.....	Canyon.
(103) Front Royal.....	Texas.....	County of Collin.	(165) [Revised].....	Idaho.....	
(104) Imperial.....	Virginia.....	County of Warren.	(166) Palm Beach County.....	Florida.....	Palm Beach.
(105) Boulder.....	California.....	County of Imperial.	(167) Sanford.....	Florida.....	Sanford.
(106) De Funiak Springs.....	Colorado.....	County of Boulder.	(168) Vero Beach.....	Florida.....	Indian River.
(107) Ardmore.....	Florida.....	County of Walton.	(169) Rome.....	Georgia.....	Floyd.
(108) Orangeburg.....	Oklahoma.....	County of Carter.	(170) Turamar.....	New Mexico.....	Quay.
(109) Longview.....	South Carolina.....	County of Orangeburg.	(171) Oxford.....	North Carolina.....	Granville.
(110) Fort Lauderdale.....	Texas.....	County of Gregg.	(172) Douglas.....	Oregon.....	Douglas.
(111) Sarasota.....	Florida.....	Broward County except the City of Hollywood and the Town of Hallandale.	(173) Bradford.....	Pennsylvania.....	Bradford.
(112) Klamath Falls.....	Florida.....	County of Sarasota.	(174) Revere.....	Virginia.....	Revere County and the Independent City of Revere.
(113) Perry.....	Oregon.....	County of Klamath.	(175) Olympia.....	Washington.....	Thurston.
(114) Woodstock.....	Florida.....	County of Taylor.	(176) Shelton.....	Washington.....	Mason.
(115) Fairfield.....	Illinois.....	County of McHenry.	(177) Thompsons.....	Wyoming.....	Hot Springs.
(116) Westchester County.....	Iowa.....	County of Jefferson.	(178) Twin Falls.....	Idaho.....	Craig, Minidoka, and Twin Falls.
(117) Winslow.....	New York.....	County of Westchester.	(179) Freepart.....	Illinois.....	Stephenson.
(118) San Benito.....	Arizona.....	Supervisory Districts 1 and 2 in Navajo County, except those portions lying within the Navajo Indian Reservation and the Sitgreaves National Forest.	(180) Eastern Shore.....	Maryland.....	Dorchester, Wicomico, and Worcester.
(119) Greeley.....	California.....	County of San Benito.	(181) Dawes County.....	Virginia.....	Accomac.
(120) Gainesville.....	Colorado.....	County of Weld.	(182) Fargo-Moorhead.....	Nebraska.....	Dawes.
(121) Ludowici.....	Georgia.....	County of Hall.	(183) Cambridge, Ohio.....	North Dakota.....	Cass, Minnecota, Clay.
(122) Iowa City.....	Georgia.....	County of Long.	(184) Clarksville.....	Ohio.....	Guernsey.
(123) Danville.....	Iowa.....	County of Johnson.	(185) Clarksville.....	West Virginia.....	Harrison.
(124) Lexington.....	Kentucky.....	County of Boyle.	(186) Mendon-Durand.....	Wisconsin.....	Buffalo and Pepin.
(125) Eastport.....	Kentucky.....	Counties of Clark and Fayette.	(187) Darlington.....	South Carolina.....	Darlington.
	Maine.....	The City of Eastport and the Towns of Lube, Perry, Pembroke, and Robbinston in the County of Washington.	(188) Georgetown.....	South Carolina.....	Georgetown.
			(189) Marion.....	South Carolina.....	Marion.
			(190) Winkler County.....	Texas.....	Winkler.
			(191) Winchester.....	Virginia.....	In the County of Rockbridge, the Magisterial District of Lexington.
			(192) Frederick.....	Virginia.....	Independent City of Winchester, and the Counties of Frederick and Shenandoah.
			(193) Eagle Pass.....	Oklahoma.....	County of Tillman.
			(194) Santa Fe.....	Texas.....	County of Maverick.
				New Mexico.....	Santa Fe.

**Item added by Am. 36, effective 10-1-45.

[§ 1388.1341 amended by Am. 1, 8 F.R. 122, effective 1-1-43; Am. 2, 8 F.R. 1228, effective 2-1-43; Am. 4, 8 F.R. 1749, effective 2-6-43; Am. 5, 8 F.R. 4779, effective 4-15-43; Am. 6, 8 F.R. 5738, effective 5-1-43; Am. 7, 8 F.R. 5739, effective 5-1-43; Am. 8, 8 F.R. 10739, effective 8-1-43; Am. 9, 8 F.R. 12039, effective 9-1-43; Am. 10, 8 F.R. 12624, effective 9-15-43; Am. 11, 8 F.R. 13920, effective 11-1-43; Am. 12, 8 F.R. 14012, effective 10-15-43; Am. 13, 8 F.R. 14687, 15581, effective 11-1-43; Am. 14, 8 F.R. 16209, effective 12-1-43; Am. 15, 9 F.R. 972, effective 2-1-44; Am. 16, 9 F.R. 3232, effective 4-1-44;

Am. 17, 9 F.R. 4541, effective 5-1-44; Am. 18, 9 F.R. 5823, effective 6-1-44; Am. 19, 9 F.R. 5915, effective 6-1-44; Am. 20, 9 F.R. 7329, effective 7-1-44; Am. 21, 9 F.R. 9255, effective 8-1-44; Am. 22, 9 F.R. 9513, effective 9-1-44; Am. 23, 9 F.R. 11540, effective 10-1-44; Am. 24, 9 F.R. 11798, effective 10-1-44; Am. 25, 9 F.R. 12866, effective 11-1-44; Am. 26, 9 F.R. 14061, effective 12-1-44; corrected 9 F.R. 15059, effective 12-27-44; Am. 27, 9 F.R. 15156, effective 1-1-45; Am. 28, 10 F.R. 1103, effective 2-1-45; Am. 29, 10 F.R. 2406, effective 3-1-45; Am. 30, 10 F.R. 3435, effective 4-1-45; Am. 31, 10 F.R. 3536, effective 4-1-45; Am. 32, 10 F.R. 4714, effective 5-1-45; corrected 10 F.R. 5576, effective 5-14-45; Am. 33, 10 F.R. 6401, effective 6-1-45; Am. 34, 10 F.R. 8316, effective 7-1-45; and Am. 35, 10 F.R. 11234, effective 8-31-45.

§ 1388.1342 Necessity. The necessity for stabilization or reduction of rents for defense-area housing accommodations in the defense-rental areas designated in § 1388.1341 is as follows:

The designations of defense-rental areas hereby and heretofore made, in-

clude the entire United States. The problem of inflation is nation-wide, and effective prevention of inflation requires nation-wide action affecting substantially all elements of the national economy. War conditions have caused widespread increases in rents, and threaten further general price and rent rises. Any increases in housing rentals, an important factor in the cost of living, have serious inflationary effects. Additional rental increases are threatened not only by increased migrations from one part of the country to another in connection with war production and new or expanding military establishments, but also by general factors affecting the economy including the greatly increased purchasing power of the people of the nation in relation to a relatively stable and limited supply of housing. In each of the designated defense-rental areas, defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942.

§ 1388.1343 *Recommendations.* It is the judgment of the Price Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within any of the defense-rental areas designated in § 1388.1341 inconsistent with the purposes of the act. Accordingly, the Price Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each of the designated areas on or about March 1, 1942. The Price Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Price Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the act.

Recommendations with reference to the stabilization or reduction of rents for housing accommodations within each of the designated defense-rental areas are as follows:

(a) The maximum rent for housing accommodations rented on March 1, 1942 should be the rent for such accommodations on that date. Appropriate provision consistent with such maximum rent date should be made for the maximum rent for housing accommodations not rented on March 1, 1942. In appropriate cases, including those relating to new construction or substantial changes of housing accommodations, provision consistent with the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of maximum rents of housing accommodations, but in principle such rents should not be greater than the rents generally prevailing for comparable accommodations in the particular area on March 1, 1942.

(b) Appropriate provision should be made with respect to the restraint of evictions and other actions relating to the recovery of possession.

(c) Appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.

§ 1388.1344 *Maximum rent regulation.* If within sixty days after the issuance of this designation and rent declaration, rents for housing accommodations within any defense-rental area designated in § 1388.1341 have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the foregoing recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1388.1345 *Effective date.* This designation and rent declaration (§§ 1388.-

1341 to 1388.1345, inclusive) shall become effective October 5, 1942. [Designation and Rent Declaration 31 originally issued October 5, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

Issued this 20th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17595; Filed, Sept. 20, 1945; 11:25 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,¹ Amdt. 63]

HOTELS AND ROOMING HOUSES

Item 197b is added to Schedule A of the Rent Regulation for Hotels and Rooming Houses to read as follows:

Name of defense-rental area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
197b) Santa Fe.....	New Mexico..	Santa Fe.....	July 1, 1944	Oct. 1, 1945	Nov. 15, 1945

This amendment shall become effective October 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17596; Filed, Sept. 20, 1945; 11:25 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,² Amdt. 68]

HOUSING

Item 197b is added to Schedule A of the Rent Regulation for Housing to read as follows:

Name of defense-rental area	State	County or counties in Defense-Rental Areas under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(197b) Santa Fe.....	New Mexico..	Santa Fe.....	July 1, 1944	Oct. 1, 1945	Nov. 15, 1945

This amendment shall become effective October 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17597; Filed, Sept. 20, 1945; 11:25 a. m.]

¹ 10 F.R. 3452, 3555, 3556, 3950, 4713, 5089, 5576, 5579, 6400, 7849, 7853, 8017.

² 10 F.R. 3436, 3555, 3951, 4714, 4713, 5089, 5577, 5603, 6074, 6400, 7853, 7849, 8017.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

ALLOWAY CREEK, QUINTON, N. J.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the following regulations are prescribed to govern the operation of the swing span of the New Jersey State Highway Department bridge across Alloway Creek on Route 49 at Quinton, New Jersey:

§ 203.224 *Alloway Creek, N. J.; New Jersey State Highway Department bridge at Quinton, N. J.* (a) The owner of or agency controlling the bridge will not be required to keep a draw tender in constant attendance.

(b) Whenever a vessel unable to pass under the closed bridge desires to pass through the draw, at least 24 hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner or agency controlling the bridge.

(c) Upon receipt of such advance notice, the said authorized representative shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can be easily read at any time, a copy of these regulations, together with a notice stating exactly how the representative specified in paragraph (b) may be reached.

(e) The operating machinery of the draw shall be maintained in a serviceable condition, and the draw shall be opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation. (28 Stat. 362; 33 U.S.C. 499) [Regs. 8 September 1945 (CE 823 (Alloway Creek—Quinton, N. J.)—SPEWR)]

[SEAL] EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 45-17528; Filed, Sept. 19, 1945; 2:49 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 25—MEDICAL

HOSPITAL AND DOMICILIARY CARE

§ 25.6060 *Out-patient treatment.*

(a) Out-patient treatment, medical or dental, including necessary medicines, prosthetic appliances and other supplies, may be rendered to the following applicants under the conditions stated:

(1) Veterans of wars as defined in § 25.6047 (a) (1) of this chapter and officers retired for disability under the provisions of the Emergency Officers Retirement Act (Public No. 506, 70th Congress, as amended) who are in need of treatment for a disease or injury adjudicated as incurred or aggravated in active Federal service.

(2) Persons included in § 35.011 (c) and § 35.012 (d) of this chapter (approved May 11, 1944), who are in need of treatment for an injury or disease incurred in line of duty and for which they are receiving disability compensation or pension.

(3) Persons retired under the provisions of Public No. 18, 76th Congress, or Public No. 262, 77th Congress, who are in need of treatment for a disease or injury determined as incurred or aggravated in line of duty in active service.

(4) Retired members of the Regular Establishment who have elected, under Public No. 314, 78th Congress, to receive pension for a service-connected condition and who are in need of treatment for such condition.

(5) Persons who were honorably discharged from the Army, Navy, Marine Corps or Coast Guard for disability incurred or aggravated in line of duty in active service or who are in receipt of pension for service-connected disability. A formal claim for disability compensation or pension will not be required of an applicant eligible for out-patient treatment by reason of discharge for disability incurred or aggravated in line of duty; and a denial of a claim for disability compensation or pension will not debar out-patient treatment for such disability. (See determination of line of duty, § 25.6047 (b) (4).)

(6) Persons pursuing a course of vocational training authorized under Public No. 16, 78th Congress, who are in need of treatment to avoid interruption of such training.

(7) Persons properly referred by authorized officials of other Federal agencies, for which the Administrator of Veterans Affairs may agree to render such service under conditions stipulated by him, and Canadian and British pensioners of World War I, upon request of the Department of Veterans Affairs, Ottawa, Canada. Charges for treatment of patients of the classes specified herein will be at prescribed rates.

(8) Employees of the Veterans Administration, their families and the general public in emergencies, subject to conditions stipulated by the Administrator of Veterans Affairs. Charges for treatment of patients specified herein will be at prescribed rates.

(b) While out-patient treatment is primarily authorized only for service-connected conditions, adjunct out-patient treatment for a nonservice-connected condition which is associated with and held to be aggravating disability from a disease or injury service connected may be also authorized in accordance with prescribed principles for persons defined in paragraph (a) (1) to (5) inclusive of this section. The opinion of the medical director may be requested in any individual case where advice as to the propriety of furnishing adjunct treatment is desired.

(c) Canceled. (September 24, 1945.) [53 Stat. 557, 10 U.S.C. 369a; 55 Stat. 733; 38 U.S.C. Supp. 12.]

§ 25.6065 *Statutory discharge of actively tuberculous patients.* (a) Beneficiaries with active tuberculosis, the disability from which has been adjudicated as attributable to service in World War I who have been hospitalized for a continuous period of one year under proper medical supervision; whose condition, it is adjudged, will not reach arrest by further hospitalization; and whose discharge from hospital treatment will not be prejudicial to themselves or their families, will be potentially eligible for the statutory hospital discharge authorized in section 202 (3), World War Veterans' Act, 1924, as provided by Public

No. 141, 73d Congress. (September 24, 1945.)

No change in (b) or (c).

[SEAL] OLIVER N. BRADLEY,
General, U. S. Army,
Administrator of
Veterans Affairs.

[F. R. Doc. 45-17557; Filed, Sept. 20, 1945; 11:22 a. m.]

PART 36—REGULATIONS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

AWARDING OF SUBSISTENCE ALLOWANCES

(1) Determinations as to whether a discharge or release from active service was by reason of an actual service-incurred disease or injury, within the purview of Veterans Regulation No. 1 (a), Part VIII, Public No. 346, 78th Congress.

(2) Awarding of subsistence allowances under Veterans Regulation No. 1 (a), Part VIII, Public No. 346, 78th Congress.

Section 36.205 (c) and (d) of regulations under Servicemen's Readjustment Act of 1944 are amended as follows:

§ 36.205 *Awards of subsistence allowances and effective date.*

(c) Reduction of an award of subsistence allowance payable on account of education or training shall be effective:

(1) In the event of death of a dependent, as of the date of death;

(2) In the event of divorce, the date preceding date of divorce;

(3) In case of a child, the date preceding the eighteenth anniversary of date of birth or if attending school after age of eighteen, the date of cessation of school attendance or date preceding the twenty-first anniversary of the date of birth, whichever is the earlier; the date preceding the date of marriage; in case of cessation of incapacity to support self by reason of mental or physical defect, last day of month in which reduction is approved;

(4) By reason of wages, compensation or other income received while performing productive labor as a part of his apprenticeship or other training-on-the-job at institutions, business or other establishments, according to facts shown, unless such action will result in an overpayment, in which event the first of the following month;

(5) By reason of change from a full-time to a part-time course, according to the facts shown, unless such action will create an overpayment, in which event the first of the following month.

(d) Discontinuance of an award of subsistence allowance payable on account of education or training because of interruption or termination of course, or attainment of full-time employment not related to his course of education or training shall be effective:

(1) Interruption of course, according to the facts shown, unless such action results in an overpayment, in which event the first of the following month;

(2) Obtainment of full-time employment not related to his course of education or training, according to the facts

shown, unless such action results in an overpayment, in which event the first of the following month;

(3) Termination of course, the end of the month in which the course is completed.

(58 Stat. 284; 38 U. S. C. 693)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of
Veterans Affairs.

SEPTEMBER 12, 1945.

[F. R. Doc. 45-17586; Filed, Sept. 20, 1945;
11:22 a. m.]

PART 36—REGULATIONS UNDER SERVICE- MEN'S READJUSTMENT ACT OF 1944

ALLOWANCES TO SELF-EMPLOYED; OPERA- TIONS OF STATE COOPERATING AGENCIES

Section 36.514 (f), (g) and (h) are amended as follows:

§ 36.514 *Allowances to the self-employed.* * * *

(f) Such claim shall be examined and a determination made in respect thereto by the State agency. This determination will include the eligibility of the claimant and the amount of the allowance. If the claim is allowed, the number of weeks of entitlement of the claimant will be decreased by five (5).

(g) Each claim that is allowed shall be properly endorsed, both as to eligibility and the amount of the allowance, by the State agency and the original thereof delivered to the agent. Payment of the allowance will be secured by appropriate certification to the nearest Treasury Disbursing Office.

(h) The determination of the State agency in respect to a self-employed claim shall be subject to the same procedures relating to appeals that now govern, or that shall be made to govern, appeals from a determination in respect to an unemployed claim.

Paragraph (i) of § 36.514 is revoked.

(58 Stat. 284; 38 U.S.C. 693)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of
Veterans Affairs.

SEPTEMBER 14, 1945.

[F. R. Doc. 45-17585; Filed, Sept. 20, 1945;
11:22 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

SUBPART B—RULES GOVERNING FM BROADCAST STATIONS

Subpart C of Part 3 of the Commission's Rules and Regulations is amended to read "General Rules Applicable to Standard Broadcast Stations." Sections 3.201-3.213, 3.221-3.231, 3.241-3.248, 3.251-3.253, and 3.261 are repealed and the following rules are substituted therefor.

CLASSIFICATION OF FM STATIONS AND ALLOCA- TION OF FREQUENCIES

- Sec.
3.201 Numerical designation of FM chan-
nels.
3.202 Areas of the United States.
3.203 Community stations.
3.204 Metropolitan stations.
3.205 Rural stations.

RULES GOVERNING ADMINISTRATIVE PROCEDURE

- 3.211 Application for FM stations.
3.212 Full disclosures.
3.213 Installation or removal of apparatus.
3.214 Period of construction.
3.215 Forfeiture of construction permits:
extension of time.
3.216 Equipment tests.
3.217 Program tests.
3.218 Normal license period.
3.219 License, simultaneous modification
and renewal.
3.220 Renewal of license.
3.221 Temporary extension of station li-
censes.
3.222 Repetitious applications.
3.223 Assignment or transfer of control.

RULES RELATING TO LICENSING POLICIES

- 3.231 Exclusive affiliation of station.
3.232 Territorial exclusivity.
3.233 Term of affiliation.
3.234 Option time.
3.235 Right to reject programs.
3.236 Network ownership of stations.
3.237 Dual network operation.
3.238 Control by networks of station rates.
3.239 Use of common antenna site.
3.240 Multiple ownership.

RULES RELATING TO EQUIPMENT

- 3.251 Transmitter power.
3.252 Frequency monitor.
3.253 Modulation monitor.
3.254 Required transmitter performance.
3.255 Auxiliary transmitter.
3.256 Alternate main transmitters.
3.257 Changes in equipment and antenna
system.

RULES RELATING TO TECHNICAL OPERATION

- 3.261 Time of operation.
3.262 Experimental operation.
3.263 Station inspection.
3.264 Station license, posting of.
3.265 Operator requirements.
3.266 Facsimile broadcasting and multiplex
transmission.
3.267 Operating power; how determined.
3.268 Modulation.
3.269 Frequency tolerance.
3.270 Inspection of tower lights and asso-
ciated control equipment.

OTHER RULES RELATING TO OPERATION

- 3.281 Logs.
3.282 Logs, retention of.
3.283 Logs, by whom kept.
3.284 Log form.
3.285 Correction of logs.
3.286 Rough logs.
3.287 Station identification.
3.288 Mechanical records.
3.289 Sponsored programs, announcement
of.
3.290 Broadcasts by candidates for public
office.
3.291 Rebroadcast.

AUTHORITY: §§ 3.201 to 3.291, inclusive, is-
sued under sec. 4 (1), 48 Stat. 1086; sec. 303
(a), 48 Stat. 1082; sec. 303 (b), 48 Stat. 1082;
sec. 303 (c), 48 Stat. 1082; sec. 303 (d), 48
Stat. 1082; sec. 303 (e), 48 Stat. 1082; sec. 303
(f), 48 Stat. 1082; sec. 303 (g), 48 Stat. 1082;
sec. 303 (h), 48 Stat. 1082; sec. 303 (i), 48 Stat.
1082; sec. 303 (j), 48 Stat. 1082; sec. 303 (l),
48 Stat. 1082; sec. 303 (m), 48 Stat. 1082;
sec. 303 (o), 48 Stat. 1082; sec. 325 (a), 48
Stat. 1091; sec. 315, 48 Stat. 1088; 47 U.S.C.
154 (1), 303 (a), 303 (b), 303 (c), 303 (d),
303 (e), 303 (f), 303 (g), 303 (h), 303 (i),
303 (j), 303 (l), 303 (m), 303 (o), 325 (a), 315.

CLASSIFICATION OF FM STATIONS AND ALLO- CATION OF FREQUENCIES

§ 3.201 *Numerical designation of FM channels.* For convenience, the frequencies available for FM broadcasting (including those assigned to non-commercial educational broadcasting) are given numerical designations which are shown in the table below:

Frequency (mc.)	Channel No.	Frequency (mc.)	Channel No.
88.1	1	98.1	51
88.3	2	98.3	52
88.5	3	98.5	53
88.7	4	98.7	54
88.9	5	98.9	55
89.1	6	99.1	56
89.3	7	99.3	57
89.5	8	99.5	58
89.7	9	99.7	59
89.9	10	99.9	60
90.1	11	100.1	61
90.3	12	100.3	62
90.5	13	100.5	63
90.7	14	100.7	64
90.9	15	100.9	65
91.1	16	101.1	66
91.3	17	101.3	67
91.5	18	101.5	68
91.7	19	101.7	69
91.9	20	101.9	70
92.1	21	102.1	71
92.3	22	102.3	72
92.5	23	102.5	73
92.7	24	102.7	74
92.9	25	102.9	75
93.1	26	103.1	76
93.3	27	103.3	77
93.5	28	103.5	78
93.7	29	103.7	79
93.9	30	103.9	80
94.1	31	104.1	81
94.3	32	104.3	82
94.5	33	104.5	83
94.7	34	104.7	84
94.9	35	104.9	85
95.1	36	105.1	86
95.3	37	105.3	87
95.5	38	105.5	88
95.7	39	105.7	89
95.9	40	105.9	90
96.1	41	106.1	91
96.3	42	106.3	92
96.5	43	106.5	93
96.7	44	106.7	94
96.9	45	106.9	95
97.1	46	107.1	96
97.3	47	107.3	97
97.5	48	107.5	98
97.7	49	107.7	99
97.9	50	107.9	100

§ 3.202 *Areas of the United States.* For the purpose of allocation the United States is divided into two areas. The first area, Area I, includes southern New Hampshire; all of Massachusetts, Rhode Island, and Connecticut; southeastern New York as far north as Albany-Troy-Schenectady; all of New Jersey, Delaware, and the District of Columbia; Maryland as far west as Hagerstown; and eastern Pennsylvania as far west as Harrisburg.¹ The second area, Area II,

¹In some of the territory contiguous to Area I, the demand for frequencies may in the future exceed the supply and when it does this region will be added to Area I. Until then, this region will not be included in Area I but applications from this region will be given careful study and consideration to insure an equitable distribution of facilities throughout the region. This region includes the remainder of Maryland, Pennsylvania and New York (except the northeastern corner) not included in Area I; the northern half of West Virginia; all of

comprehends the remainder of the United States not included in Area I.

§ 3.203 *Community stations.* (a) Community stations are limited to a maximum effective radiated power of 250 watts and a maximum antenna height of 250 feet over the average height of the terrain 10 miles from the transmitter. Upon proper showing that an antenna height in excess of 250 feet is necessary, authorization will be issued for such higher antenna but the Commission may in such cases require a reduction in radiated power. A minimum separation of 50 miles will be provided in the case of Community stations on the same channel and a minimum of 35 miles on adjacent channels.

(b) In Area I, 20 channels beginning with 104.1 megacycles and ending with 107.9 megacycles (Channels 81 through 100) are allocated for Community stations. All of these 20 channels are available in any community which is not the principal city of a metropolitan district. Ten of these channels are also available for assignment in principal cities of metropolitan districts which have fewer than 6 Metropolitan stations.²

(c) In Area II, 10 channels beginning with 104.1 megacycles and ending with 105.9 megacycles (Channels 81 through 90) are available for Community stations and may be used in any community which is not the principal city of a metropolitan district.³

(d) The main studio of a Community station shall be located in the city served and the transmitter shall be located as near the center of the city as practicable.

§ 3.204 *Metropolitan stations.* (a) In Area I, Metropolitan stations are limited to a maximum of 20 kilowatts effective radiated power with a non-directional antenna having a height of 500 feet, as determined by the methods prescribed in the Standards of Good Engineering Practice concerning FM broadcast stations. Where higher antenna heights are available, they should be used but in such cases the Commission will authorize less than 20 kilowatts effective radiated power so that the coverage (within the 1000 uv/m contour) shall be substantially similar to that which would be provided by 20 kilowatts effective radiated power and a 500 foot antenna. Where the only antenna height available is less than 500 feet, the Commission may authorize its use but will not permit an increase in radiated power in excess of 20 kilowatts. In Area I, the service area of Metropolitan stations will not be protected beyond the 1000 uv/m contour and such stations will be located in such a

Ohio and Indiana; southern Michigan as far north as Saginaw; eastern Illinois as far west as Rockford-Decatur; and southeastern Wisconsin as far north as Sheboygan.

²For the time being, until more FM stations are authorized, the Commission will not authorize Community stations in principal cities of metropolitan districts in Area I having 4 or more AM stations.

³The 10 frequencies from 106.1 to 107.9 megacycles which are available for Community stations in Area I but not in Area II will be assigned in Area II in the future in accordance with the needs of the area as shown by future developments. In the meantime they will be available for facsimile.

manner as to insure, insofar as possible, a maximum of FM service to all listeners, whether urban or rural.

(b) Metropolitan stations in Area II are designed primarily to render service to a single metropolitan district or a principal city, and to rural areas surrounding such metropolitan district or principal city. The Commission will designate service areas for Metropolitan stations in Area II and will authorize appropriate power and antenna height to cover the designated area in accordance with the Standards of Good Engineering Practice concerning FM broadcast stations; upon proper showing changes will be made in these service areas.⁴ Metropolitan stations will not be required to serve the entire service area designated by the Commission but no application will be granted for a Metropolitan station unless it is proposed to serve an area substantially greater than could be served by a Community station.

(c) Sixty frequencies are available for Metropolitan stations in Areas I and II. These frequencies begin at 92.1 megacycles and end at 103.9 megacycles (Channels 21 through 80).

(d) The main studio of a Metropolitan station shall be located within its 5000 uv/m contour. However, upon a special showing of need, the Commission may authorize the main studio to be located beyond the 5000 uv/m contour but not beyond the 1000 uv/m contour. The transmitter shall be so located as to provide maximum service both to the city where the main studio is located and to the surrounding rural area.

§ 3.205 *Rural stations.* (a) Rural stations are designed primarily to furnish service to rural listeners. The service area of Rural stations may include the service areas designated by the Commission for Metropolitan stations upon a showing to the Commission that the additional area which the Rural station will serve is predominantly rural in character. As a guide, the Commission will consider that the additional area beyond the service area of a Metropolitan station which is proposed to be served, is predominantly rural in character if at least 50 percent of the population proposed to be added within the 50 uv/m contour live in rural areas or in communities smaller than 10,000.⁵ Exceptions to this rule will

⁴In determining service areas for particular communities, the Commission will give consideration to population distribution, terrain, trade areas, economics and other pertinent factors, and applicants for Metropolitan stations in Area II should include in their applications a showing as to the service area the Commission should designate for the city in question. There are several current and recognized authorities on retail trading areas or consumer trading areas from which the applicant may prepare its showing and to which the Commission will give consideration in making its determination. Among these recognized authorities are the following: J. Walter Thompson (Retail Shopping Areas), Hearst Magazines, Inc. (Consumer Trading Areas), Rand McNally Map Co. (Trading Areas), and Hagstrom Map Co.'s Four Color Retail Trading Area Map.

⁵In making this computation, cities with populations in excess of 10,000 should be excluded if the signal in such cities is less than 500 uv/m.

be permitted where a showing is made to the Commission that due to conditions of terrain or local factors, more extended service to unserved rural areas is possible by licensing Rural stations to serve an area which does not meet the above requirements than would otherwise be possible.

(b) Rural stations will not be licensed in Area I as presently defined. If in the future it becomes necessary to extend Area I by including part or all of the region set forth in footnote 1 of section 3.202, consideration will be given at that time to the question whether Rural stations should be licensed in this region.

(c) The 60 channels available for Metropolitan stations are also available for Rural stations.

(d) The main studio of a Rural station shall be located within its 1000 uv/m contour. However, upon a special showing of need, the Commission may authorize the main studio to be located beyond the 1000 uv/m contour but not beyond the 50 uv/m contour.

RULES GOVERNING ADMINISTRATIVE PROCEDURE

§ 3.211 *Application for FM stations.* Each applicant for a construction permit for a new FM broadcast station, change in facilities of any existing FM broadcast station, or FM station license or modification of license shall file with the Commission in Washington, D. C., three copies of applications on the appropriate form designated by the Commission and a like number of exhibits and other papers incorporated therein and made a part thereof. Only the original copy need be sworn to. If the application is for a construction permit for a new FM station, Form FCC No. 319 should be filed; for an FM license, Form FCC No. 320 should be filed; and for modification of an FM license or for change in facilities of an existing FM station, Form FCC No. 322 should be filed.

§ 3.212 *Full disclosures.* Each application shall contain full and complete disclosures with regard to the real party or parties in interest, and their legal, technical, financial, and other qualifications, and as to all matters and things required to be disclosed by the application forms.

§ 3.213 *Installation or removal of apparatus.* Applications for construction permit or modification thereof, involving removal of existing transmitting apparatus and/or installation of new transmitting apparatus, shall be filed at least 60 days prior to the contemplated removal and/or installation.

§ 3.214 *Period of construction.* Each construction permit will specify a maximum of 60 days from the date of granting thereof as the time within which construction of the station shall begin, and a maximum of six months thereafter as the time within which construction shall be completed and the station ready for operation, unless otherwise determined by the Commission upon proper showing in any particular case.

§ 3.215 *Forfeiture of construction permits: extension of time.* (a) A construction permit shall be automatically

forfeited if the station is not ready for operation within the time specified therein or within such further time as the Commission may have allowed for completion, and a notation of the forfeiture of any construction permit under this provision will be placed in the records of the Commission as of the expiration date.

(b) Any application¹ for extension of time within which to construct a station shall be filed at least thirty days prior to the expiration date of such permit if the facts supporting such application for extension are known to the applicant in time to permit such filing. In other cases such applications will be accepted upon a showing satisfactory to the Commission of sufficient reasons for filing within less than thirty days prior to the expiration date. Such applications will be granted upon a specific and detailed showing that the failure to complete was due to causes not under the control of the grantee, or upon a specific and detailed showing of other matters sufficient to justify the extension.

§ 3.216 *Equipment tests.* (a) Upon completion of construction of an FM station in exact accordance with the terms of the construction permit, the technical provisions of the application therefor and the rules and regulations and Standards of Good Engineering Practice governing FM stations and prior to filing of application for license, the permittee is authorized to test the equipment for a period not to exceed 90 days: *Provided*, That the inspector in charge of the district in which the station is located and the Commission are notified 2 days in advance of the beginning of tests.

(b) The Commission may notify the permittee to conduct no tests or may cancel, suspend, or change the date of beginning for the period of such tests as and when such action may appear to be in the public interest, convenience, and necessity.

(c) Within the 90-day period prescribed by this section for equipment tests, field intensity measurements in accordance with the methods prescribed in the Standards of Good Engineering Practice Concerning FM Broadcasting shall be submitted to the Commission. The Commission may grant extensions of time upon showing of reasonable need therefor.² The proof of performance specified in this subsection shall be made by Metropolitan and Rural stations only and need not be made by Community stations.

§ 3.217 *Program tests.* (a) When construction and equipment tests are completed in exact accordance with the terms of the construction permit, the technical provisions of the application therefor, and the rules and regulations

and Standards of Good Engineering Practice governing FM stations, and after an application for station license has been filed with the Commission showing the transmitter to be in satisfactory operating condition, the permittee is authorized to conduct program tests in exact accordance with the terms of the construction permit for a period not to exceed 30 days: *Provided*, That the inspector in charge of the district in which the station is located and the Commission are notified 2 days in advance of the beginning of such tests.

(b) The Commission reserves the right to cancel such tests or suspend, or change the date of beginning for the period of such tests as and when such action may appear to be in the public interest, convenience, and necessity by notifying the permittee.

(c) The authorization for tests embodied in this section or § 3.216 shall not be construed as constituting a license to operate but as a necessary part of the construction.

§ 3.218 *Normal license period.* All FM broadcast station licenses will be issued so as to expire at the hour of 3 a. m., e. s. t. and will be issued for a normal license period of one year.

§ 3.219 *License, simultaneous modification and renewal.* When an application is granted by the Commission necessitating the issuance of a modified license less than 60 days prior to the expiration date of the license sought to be modified, and an application for renewal of said license is granted subsequent or prior thereto (but within 30 days of expiration of the present license) the modified license as well as the renewal license shall be issued to conform to the combined action of the Commission.

§ 3.220 *Renewal of license.* (a) Unless otherwise directed by the Commission, each application for renewal of an FM license shall be filed at least 60 days prior to the expiration date of the license sought to be renewed (Form FCC No. 311). No application for renewal of license of an FM broadcast station will be considered unless there is on file with the Commission, the information currently required by §§ 1.301-1.304, reference to which by date and file number shall be included in the application.

(b) Whenever the Commission regards an application for a renewal of an FM license as essential to the proper conduct of a hearing or investigation, and specifically directs that it be filed by a date certain, such application shall be filed within the time thus specified. If the licensee fails to file such application within the prescribed time, the hearing or investigation shall proceed as if such renewal application had been received.

§ 3.221 *Temporary extension of station licenses.* Where there is pending before the Commission any application, investigation, or proceeding which, after hearing, might lead to or make necessary the modification of, revocation of, or the refusal to renew an existing FM license, the Commission may, in its discretion, grant a temporary extension of

such license: *Provided, however*, That no such temporary extension shall be construed as a finding by the Commission that the operation of any radio station thereunder will serve public interest, convenience, and necessity beyond the express terms of such temporary extension of license: *And provided further*, That such temporary extension of license will in no wise affect or limit the action of the Commission with respect to any pending application or proceeding.

§ 3.222 *Repetitious applications.* (a) Where an applicant has been afforded an opportunity to be heard with respect to a particular application for a new FM broadcast station, or for change of existing service or facilities, and the Commission has, after hearing or default, denied the application or dismissed it with prejudice, the Commission will not consider another application for a station of the same class to serve in whole or in part the same area, by the same applicant or by his successor or assignee, or on behalf of or for the benefit of the original parties in interest, until after the lapse of 12 months from the effective date of the Commission's order.

(b) Where an appeal has been taken from the action of the Commission in denying a particular application, another application for the same class of broadcast station and for the same area, in whole or in part, filed by the same applicant or by his successor or assignee, or on behalf of or for the benefit of the original parties in interest, will not be considered until the final disposition of such appeal.

§ 3.223 *Assignment or transfer of control.* (a) *Voluntary.* Application for consent to voluntary assignment of an FM construction permit or license or for consent to voluntary transfer of control of a corporation holding an FM construction permit or license shall be filed with the Commission on Form FCC No. 314 (assignment of license) and Form FCC No. 315 (transfer of control) at least 60 days prior to the contemplated effective date of assignment or transfer of control.

(b) *Involuntary.* In the event of the death or legal disability of a permittee or licensee, or a member of a partnership, or a person directly or indirectly in control of a corporation, which is a permittee or licensee:

(1) The Commission shall be notified in writing promptly of the occurrence of such death or legal disability, and

(2) Within thirty days after the occurrence of such death or legal disability, application on Form FCC No. 314 or 315 shall be filed for consent to involuntary assignment of such FM permit or license or for involuntary transfer of control of such corporation to a person or entity legally qualified to succeed to the foregoing interests under the laws of the place having jurisdiction over the estate involved.

RULES RELATING TO LICENSING POLICIES

§ 3.231 *Exclusive affiliation of station.* No license shall be granted to an FM broadcast station having any contract, arrangement, or understanding, express

¹ Form FCC No. 701.

² Until further notice, the Commission will grant FM licenses before proof of performance is submitted. In such cases, proof of performance shall be submitted within one year after the license has been issued or within such extension of time as the Commission may for good cause grant.

or implied with a network organization¹ under which the station is prevented or hindered from, or penalized for, broadcasting the programs of any other network organization.

§ 3.232 *Territorial exclusivity.* No license shall be granted to an FM broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which prevents or hinders another broadcast station serving substantially the same area from broadcasting the network's programs not taken by the former station, or which prevents or hinders another broadcast station serving a substantially different area from broadcasting any program of the network organization. This subpart shall not be construed to prohibit any contract, arrangement, or understanding between a station and a network organization pursuant to which the station is granted the first call in its primary service area upon the programs of the network organization.

§ 3.233 *Term of affiliation.* No license shall be granted to an FM broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which provides, by original terms, provisions for renewal, or otherwise for the affiliation of the station with the network organization for a period longer than two years: *Provided*, That a contract, arrangement, or understanding for a period up to two years, may be entered into within six months prior to the commencement of such period.

§ 3.234 *Option time.* No license shall be granted to an FM broadcast station which options² for network programs any time subject to call on less than 56 days' notice, or more time than a total of three hours³ within each of four segments of the broadcast day, as herein described. The broadcast day is divided into 4 segments, as follows: 8:00 a. m. to 1:00 p. m.; 1:00 p. m. to 6:00 p. m.; 6:00 p. m. to 11:00 p. m.; 11:00 p. m. to 8:00 a. m.⁴ Such options may not be exclu-

¹ The term "network organization" as used herein includes national and regional network organizations. See Chapter VII, J, of Report on Chain Broadcasting.

² As used in this section, an option is any contract, arrangement, or understanding, express or implied, between a station and a network organization which prevents or hinders the station from scheduling programs before the network agrees to utilize the time during which such programs are scheduled, or which requires the station to clear time already scheduled when the network organization seeks to utilize the time.

³ All time options permitted under this section must be specified clock hours, expressed in terms of any time system set forth in the contract agreed upon by the station and network organization. Shifts from daylight saving to standard time or vice versa may or may not shift the specified hours correspondingly as agreed by the station and network organization.

⁴ These segments are to be determined for each station in terms of local time at the location of the station but may remain constant throughout the year regardless of shifts

sive as against other network organizations and may not prevent or hinder the station from optioning or selling any or all of the time covered by the option, or other time, to other network organizations.

§ 3.235 *Right to reject programs.* No license shall be granted to an FM broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which (a), with respect to programs offered pursuant to an affiliation contract, prevents or hinders the station from rejecting or refusing network programs which the station reasonably believes to be unsatisfactory or unsuitable; or which (b), with respect to network programs so offered or already contracted for, prevents the station from rejecting or refusing any program which, in its opinion, is contrary to the public interest, or from substituting a program of outstanding local or national importance.

§ 3.236 *Network ownership of stations.* No license shall be granted to a network organization, or to any person directly or indirectly controlled by or under common control⁵ of a network organization, for an FM broadcast station in any locality where the existing FM broadcast stations are so few or of such unequal desirability (in terms of coverage, power, frequency, or other related matters) that competition would be substantially restrained by such licensing.

§ 3.237 *Dual network operation.* No license shall be issued to an FM broadcast station affiliated with a network organization which maintains more than one network of FM broadcast stations: *Provided*, That this regulation shall not be applicable if such networks are not operated simultaneously, or if there is no substantial overlap in the territory served by the group of stations comprising each such network.

§ 3.238 *Control by networks of station rates.* No license shall be granted to an FM broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization under which the station is prevented or hindered from, or penalized for, fixing or altering its rates for the sale of broadcast time for other than the network's programs.

§ 3.239 *Use of common antenna site.* No FM license or renewal of an FM license will be granted to any person who owns, leases, or controls a particular site which is peculiarly suitable for FM broadcasting in a particular area and (a) which is not available for use by other FM licensees; and (b) no other comparable site is available in the area; and (c) where the exclusive use of such site by the applicant or licensee would unduly limit the number of FM stations that can be authorized in a particular area or from standard to daylight saving time or vice versa.

⁵ The word "control" as used herein, is not limited to full control but includes such a measure of control as would substantially affect the availability of the station to other networks.

would unduly restrict competition among FM stations.

§ 3.240 *Multiple ownership.* (a) No person (including all persons under common control)⁶ shall, directly or indirectly, own, operate or control more than one FM broadcast station that would serve substantially the same service area as another FM broadcast station owned, operated, or controlled by such person.

(b) No person (including all persons under common control) shall, directly or indirectly, own, operate, or control more than one FM broadcast station, except upon a showing (1) that such ownership, operation, or control would foster competition among FM broadcast stations or provide an FM broadcasting service distinct and separate from existing services, and (2) that such ownership, operation, or control would not result in the concentration of control of FM broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity; *Provided, however*, That the Commission will consider the ownership, operation, or control of more than six FM broadcast stations to constitute the concentration of control of FM broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity.

RULES RELATING TO EQUIPMENT

§ 3.251 *Transmitter power.* The rated power and operating power range of transmitters shall be in accordance with the Standards of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.252 *Frequency monitor.* The licensee of each FM broadcast station shall have in operation at the transmitter an approved frequency monitor independent of the frequency control of the transmitter. For detailed requirements thereof see Standards of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.253 *Modulation monitor.* The licensee of each FM broadcast station shall have in operation at the transmitter an approved modulation monitor. For detailed requirements thereof see Standards of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.254 *Required transmitter performance.* The construction, installation, operation, and performance of the FM broadcast transmitter system shall be in accordance with the Standards of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.255 *Auxiliary transmitter.* Upon showing that a need exists for the use of an auxiliary transmitter in addition to the regular transmitter of a broadcast station, a license therefor may be issued, *Provided, That*:

(a) An auxiliary transmitter may be installed either at the same location as

⁶ The word "control" as used herein is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

the main transmitter or at another location.

(b) A licensed operator shall be in control whenever an auxiliary transmitter is placed in operation.

(c) The auxiliary transmitter shall be maintained so that it may be put into immediate operation at any time for the following purposes:

(1) The transmission of the regular programs upon the failure of the main transmitter.

(2) The transmission of regular programs during maintenance or modification work on the main transmitter, necessitating discontinuance of its operation for a period not to exceed five days.

(3) Upon request by a duly authorized representative of the Commission.

(d) The auxiliary transmitter shall be tested at least once each week to determine that it is in proper operating condition and that it is adjusted to the proper frequency, except that in case of operation in accordance with paragraph (c) of this section during any week, the test in that week may be omitted provided the operation under paragraph (c) is satisfactory. A record shall be kept of the time and result of each test operating under paragraph (c). Tests shall be conducted only between midnight and 6 a. m., local standard time.

(e) The auxiliary transmitter shall be equipped with satisfactory control equipment which will enable the maintenance of the frequency emitted by the station within the limits prescribed by these regulations.

(f) The operating power of an auxiliary transmitter may be less than the authorized power of the main transmitter, but in no event shall it be greater than such power.

§ 3.256 Alternate main transmitters. The licensee of an FM broadcast station may be licensed for alternate main transmitters provided that a technical need^{*} for such alternate transmitters is shown and that the following conditions are met:

(a) Both transmitters are located at the same place.

(b) Both transmitters shall have the same power rating.

(c) Both transmitters shall meet the construction, installation, operation, and performance requirements of the Standards of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.257 Changes in equipment and antenna system. Licensees of FM broadcast stations shall observe the following provisions with regard to changes in equipment and antenna system:

^{*}Such as licenses maintaining 24-hour which may be made without authority as set forth elsewhere in the rules and regulations and the Standards of Good Engineering Practice or as authorized by the Commission by letter or by construction permit. Where such operation is required for periods in excess of 5 days, request therefor shall be in accordance with § 1.365.

^{*}Such as licensees maintaining 24-hour schedule and needing alternate operation for maintenance, or where developmental work requires alternate operation.

(a) No changes in equipment shall be made:

(1) That would result in the emission of signals outside of the authorized channel.

(2) That would result in the external performance of the transmitter being in disagreement with that prescribed in the Standards of Good Engineering Practice concerning FM Broadcast Stations.

(b) Specific authority, upon filing formal application (Form FCC No. 322) therefor, is required for a change in service area or for any of the following changes:

(1) Changes involving an increase or decrease in the power rating of the transmitter.

(2) A replacement of the transmitter as a whole.

(3) Change in the location of the transmitting antenna.

(4) Change in antenna system, including transmission line.

(5) Change in location of main studio, if it is proposed to move the main studio to a different city from that specified in the license.

(6) Change in the power delivered to the antenna.

(7) Change in frequency control and/or modulation system.

(c) Specific authority, upon filing informal request therefor, is required for a change in the indicating instruments installed to measure transmitter power output, except by instruments of the same maximum scale reading and accuracy.

(d) Other changes, except as above provided for in this section or in Standards of Good Engineering Practice concerning FM Broadcast Stations prescribed by the Commission may be made at any time without the authority of the Commission, *Provided*, That the Commission shall be promptly notified thereof and such changes shall be shown in the next application for renewal of license.

RULES RELATING TO TECHNICAL OPERATION

§ 3.261 Time of operation. All FM broadcast stations will be licensed for unlimited time operation. Until further notice a minimum of 6 hours per day of operation will be required, which shall consist of 3 hours during the period 6 a. m., to 6 p. m., local standard time, and 3 hours during the period 6 p. m. to midnight, local standard time. In an emergency, however, when due to causes beyond the control of a licensee, it becomes impossible to continue operation, the station may cease operation for a period not to exceed 10 days: *Provided*, That the Commission and the inspector in charge of the radio district in which the station is located shall be notified in writing immediately after the emergency develops.

§ 3.262 Experimental operation. The period between 12:00 midnight, and 6 a. m., local standard time, may be used for experimental purposes in testing and maintaining apparatus by the licensee of any FM broadcast station on its assigned frequency and not in excess of its authorized power, without specific authorization from the Commission.

§ 3.263 Station inspection. The licensee of any FM radio station shall make the station available for inspection by representatives of the Commission at any reasonable hour.

§ 3.264 Station license, posting of. The original of each station license shall be posted in the transmitter room.

§ 3.265 Operator requirements. One or more licensed radiotelephone first class operators shall be on duty at the place where the transmitting apparatus of each station is located and in actual charge thereof whenever it is being operated. The original license (Form FCC No. 759) of each station operator shall be posted at the place where he is on duty. The licensed operator on duty and in charge of an FM broadcast transmitter may, at the discretion of the licensee, be employed for other duties or for the operation of another station or stations in accordance with the class of operator's license which he holds and by the rules and regulations governing such stations. However, such duties shall in no wise interfere with the operation of the broadcast transmitter.

§ 3.266 Facsimile broadcasting and Multiplex transmission. Transmission of simplex facsimile on FM channels in accordance with the Commission's Standards of Good Engineering Practice on facsimile may be permitted, upon application to the Commission, during hours not required to be devoted to FM aural broadcasting. The Commission may grant experimental authority to an FM station for the multiplex transmission of facsimile or other signals and aural broadcast programs, provided that the transmission of facsimile or other signals is incidental to the aural broadcast, does not reduce the quality of the aural program, and that a filter or other additional equipment is not required for receivers not equipped to receive facsimile or other signals.

§ 3.267 Operating power: how determined. The operating power, and the requirements for maintenance thereof, of each FM broadcast station shall be determined by the methods prescribed in the Standards of Good Engineering Practice covering FM broadcast stations.

§ 3.268 Modulation. The percentage of modulation of all stations shall be maintained as high as possible consistent with good quality of transmission and good broadcast practice and in no case less than 85 percent nor more than 100 percent on peaks of frequent recurrence during any selection which normally is transmitted at the highest level of the program under consideration.

§ 3.269 Frequency tolerance. The center frequency of each FM broadcast station shall be maintained within 2,000 cycles of the assigned center of frequency.

§ 3.270 Inspection of tower lights and associated control equipment. The licensee of any FM station which has an antenna or antenna supporting structure(s) required to be illuminated pursuant to the provisions of section 303 (q)

of the Communications Act of 1934, as amended:

(a) Shall make a visual observation of the tower lights at least once each 24 hours to insure that all such lights are functioning properly as required.

(b) Shall report immediately by telephone or telegraph to the nearest Airways Communication Station or office of the Civil Aeronautics Administration any observed failure of the tower lights, not corrected within 30 minutes, regardless of the cause of such failure. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

(c) Shall inspect at intervals of at least once each 3 months all flashing or rotating beacons and automatic lighting control devices to insure that such apparatus is functioning properly as required.

OTHER RULES RELATING TO OPERATION

§ 3.281 *Logs.* The licensee of each FM station shall maintain program and operating logs and shall require entries to be made as follows:

(a) In the program log:

(1) An entry of the time each station identification announcement (call letters and location) is made.

(2) An entry briefly describing each program broadcast, such as "music," "drama," "speech," etc., together with the name or title thereof and the sponsor's name, with the time of the beginning and ending of the complete program. If a mechanical record is used, the entry shall show the exact nature thereof, such as "record," "transcription," etc., and the time it is announced as a mechanical reproduction. If a speech is made by a political candidate the name and political affiliations of such speaker shall be entered.

(3) An entry showing that each sponsored program broadcast has been announced as sponsored, paid for, or furnished by the sponsor.

(4) An entry showing, for each program of network origin, the name of the network originating the program.

(b) In the operating log:

(1) An entry of the time the station begins to supply power to the antenna, and the time it stops.

(2) An entry of the time the program begins and ends.

(3) An entry of each interruption to the carrier wave, its cause, and duration.

(4) An entry of the following each 30 minutes:

(i) Operating constants of last radio stage (total plate current and plate voltage).

(ii) Transmission line current or voltage.

(iii) Frequency monitor reading.

(5) Log of experimental operation during experimental period. (If regular operation is maintained during this period, the above logs shall be kept.)

(i) A log must be kept of all operation during the experimental period. If the entries required above are not applicable thereto, then the entries shall be made so as to fully describe the operation.

(c) Where an antenna or antenna supporting structure(s) is required to be

illuminated, the licensee shall make entries in the radio station log appropriate to the requirements of section 3.240 as follows:

(1) The time the tower lights are turned on and off if manually controlled.

(2) The time the daily visual observation of the tower lights was made.

(3) In the event of any observed failure of a tower light.

(i) Nature of such failure.

(ii) Time the failure was observed.

(iii) Time and nature of the adjustments, repairs or replacements made.

(iv) Airways Communication Station (C. A. A.) notified of the failure of any tower light not corrected within thirty minutes and the time such notice was given.

(v) Time notice was given to the Airways Communication Station (C. A. A.) that the required illumination was resumed.

(4) Upon completion of the periodic inspection required at least once each three months.

(i) The date of the inspection and the condition of all tower lights and associated tower lighting control devices.

(ii) Any adjustments, replacements or repairs made to insure compliance with the lighting requirements.

§ 3.282 *Logs, retention of.* Logs of FM stations shall be retained by the licensee for a period of 2 years. However, logs incident to or involved in any claim or complaint of which the licensee has notice shall be retained by the licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims.

§ 3.283 *Logs, by whom kept.* Each log shall be kept by the person or persons competent to do so, having actual knowledge of the facts required, who shall sign the log when starting duty and again when going off duty. The logs shall be made available upon request by an authorized representative of the Commission.

§ 3.284 *Log form.* The log shall be kept in an orderly manner, in suitable form, and in such detail that the data required for the particular class of station concerned are readily available. Key letters or abbreviations may be used if proper meaning or explanation is contained elsewhere in the log.

§ 3.285 *Correction of logs.* No log or portion thereof shall be erased, obliterated, or willfully destroyed within the period of retention provided by the rules. Any necessary correction may be made only by the person originating the entry who shall strike out the erroneous portion, initial the correction made, and indicate the date of correction.

§ 3.286 *Rough logs.* Rough logs may be transcribed into condensed form, but in such case the original log or memoranda and all portions thereof shall be preserved and made a part of the complete log.

§ 3.287 *Station identification.* (a) A licensee of an FM broadcast station shall make station identification announce-

ment (call letters and location) at the beginning and ending of each time of operation and during operation (1) on the hour and (2) either on the half hour or at the quarter hour following the hour and at the quarter hour preceding the next hour: *Provided:*

(b) Such identification announcement need not be made on the hour when to make such announcement would interrupt a single consecutive speech, play, religious service, symphony concert, or operatic production of longer duration than 30 minutes. In such cases the identification announcement shall be made at the beginning of the program, at the first interruption of the entertainment continuity, and at the conclusion of the program.

(c) Such identification announcement need not be made on the half hour or quarter hours when to make such announcement would interrupt a single consecutive speech, play, religious service, symphony concert, or operatic production. In such cases an identification announcement shall be made at the first interruption of the entertainment continuity and at the conclusion of the program, *Provided*, That an announcement within 5 minutes of the times specified in subparagraph (2) of paragraph (a) of this section will satisfy the requirements of identification announcements.

(d) In the case of variety show programs, baseball game programs, or similar programs of longer duration than 30 minutes, the identification announcement shall be made within 5 minutes of the hour and of the times specified in subparagraph (2) of paragraph (a) of this section.

(e) In the case of all other programs, the identification announcement shall be made within 2 minutes of the hour and of the times specified in subparagraph (2) of paragraph (a) of this section.

(f) In making the identification announcement, the call letters shall be given only on the channel of the station identified thereby.

§ 3.288 *Mechanical records.* Each program broadcast which consists in whole or in part of one or more mechanical reproductions shall be announced in the manner and to the extent set out below.

(a) Each such program of longer duration than 30 minutes, consisting in whole or in part of one or more mechanical reproductions, shall be identified by appropriate announcement at the beginning of the program, at each 30-minute interval and at the conclusion of the program; *Provided, however*, That the identifying announcement at each 30-minute interval is not required in case of a mechanical reproduction consisting of a continuous uninterrupted speech, play, religious service, symphony concert or operatic production of longer than 30 minutes.

(b) Each such program of a longer duration than 5 minutes and not in excess of 30 minutes, consisting in whole or in part of one or more mechanical reproductions, shall be identified by an appropriate announcement at the beginning and end of the program.

(c) Each such program of five minutes or less, consisting in whole or in part of mechanical reproductions, shall be identified by appropriate announcement immediately preceding the use thereof.

(d) In case a mechanical reproduction is used for background music, sound effects, station identification, program identification (theme music of short duration) or identification of the sponsorship of the program proper, no announcement of the mechanical reproduction is required.

(e) The exact form of identifying announcement is not prescribed, but the language shall be clear and in terms commonly used and understood. A licensee shall not attempt affirmatively to create the impression that any program being broadcast by mechanical reproduction consists of live talent.

§ 3.289 *Sponsored programs, announcement of.* (a) In the case of each program for the broadcasting of which money, services, or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, any radio broadcast station, the station broadcasting such program shall make, or cause to be made, an appropriate announcement that the program is sponsored, paid for, or furnished either in whole or in part.

(b) In the case of any political program or any program involving the discussion of public controversial issues for which any records, transcriptions, talent, scripts, or other material or services of any kind are furnished, either directly or indirectly, to a station as an inducement to the broadcasting of such program, an announcement shall be made both at the beginning and conclusion of such program on which such material or services are used that such records, transcriptions, talent, scripts, or other material or services have been furnished to such station in connection with the broadcasting of such program: *Provided, however,* That only one such announcement need be made in the case of any such program of five minutes' duration or less, which announcement may be made either at the beginning or conclusion of the program.

(c) The announcement required by this section shall fully and fairly disclose the true identity of the person or persons by whom or in whose behalf such payment is made or promised, or from whom or in whose behalf such services or other valuable consideration is received, or by whom the material or services referred to in paragraph (b) hereof are furnished. Where an agent or other person contracts or otherwise makes arrangements with a station on behalf of another, and such fact is known to the station, the announcement shall disclose the identity of the person or persons in whose behalf such agent is acting instead of the name of such agent.

(d) In the case of any program, other than a program advertising commercial products or services, which is sponsored, paid for or furnished, either in whole or in part, or for which material or services referred to in paragraph (b) hereof are furnished, by a corporation, committee, association or other unincorporated group, the announcement re-

quired by this section, shall disclose the name of such corporation, committee, association or other unincorporated group. In each such case the station shall require that a list of the chief executive officers or members of the executive committee or of the board of directors of the corporation, committee, association or other unincorporated group shall be made available for public inspection at one of the radio stations carrying the program.

(e) In the case of programs advertising commercial products or services, an announcement stating the sponsor's corporate or trade name or the name of the sponsor's product, shall be deemed sufficient for the purposes of this section and only one such announcement need be made at any time during the course of the program.

§ 3.290 *Broadcasts by candidates for public office—(a) Definitions.* A "legally qualified candidate" means any person who has publicly announced that he is a candidate for nomination by a convention of a political party or for nomination or election in a primary, special, or general election, municipal, county, state or national, and who meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate, so that he may be voted for by the electorate directly or by means of delegates or electors, and who:

(1) Has qualified for a place on the ballot or

(2) Is eligible under the applicable law to be voted for by sticker, by writing in his name on the ballot, or other method, and (i) has been duly nominated by a political party which is commonly known and regarded as such, or (ii) makes a substantial showing that he is a bona fide candidate for nomination or office, as the case may be.

(b) *General requirements.* No station licensee is required to permit the use of its facilities by any legally qualified candidate for public office, but if any licensee shall permit any such candidate to use its facilities, it shall afford equal opportunities to all other such candidates for that office to use such facilities; *Provided,* That such licensee shall have no power of censorship over the material broadcast by any such candidate.

(c) *Rates and practices.* The rates, if any, charged all such candidates for the same office shall be uniform and shall not be rebated by any means, directly or indirectly; no licensee shall make any discrimination in charges, practices, regulations, facilities, or services for or in connection with the service rendered pursuant to these rules, or make or give any preference to any candidate for public office or subject any such candidate to any prejudice or disadvantage; nor shall any licensee make any contract or other agreement which shall have the effect of permitting any legally qualified candidate for any public office to broadcast to the exclusion of other legally qualified candidates for the same public office.

(d) *Inspection of records.* Every licensee shall keep and permit public inspection of a complete record of all requests for broadcast time made by or on behalf of candidates for public office,

together with an appropriate notation showing the disposition made by the licensee of such requests, and the charges made, if any, if request is granted.

§ 3.291 *Rebroadcast.* (a) The term "rebroadcast" means reception by radio of the program¹ of a radio station, and the simultaneous or subsequent retransmission of such program by a broadcast station.²

(b) The licensee of an FM broadcast station may, without further authority of the Commission, rebroadcast the program of a United States standard, FM or noncommercial educational broadcast station, provided the Commission is notified of the call letters of each station rebroadcast and the licensee certifies that express authority has been received from the licensee of the station originating the program.³

(c) (1) The licensee of an FM broadcast station located within a state or the District of Columbia may, without further authority of the Commission, rebroadcast on a noncommercial basis a noncommercial program of a United States international broadcast station.

(2) The licensee of an FM broadcast station located in any territory or insular possession of the United States may, without further authority of the Commission, rebroadcast any program of a United States international broadcast station.

(3) In the case of any rebroadcast under the provisions of this paragraph (c), the Commission shall be notified of the call letters of each station whose program is rebroadcast and the licensee shall certify that express authority has been received from the licensee of the station originating the program.

(d) No licensee of an FM broadcast station shall rebroadcast the program of any United States radio station not designated in (b) or (c) above without written authority having first been obtained from the Commission upon application (informal) accompanied by written consent or certification of consent of the licensee of the station originating the program.⁴

NOTE: By Order No. 82, dated and effective June 24, 1941, until further order of the Commission, § 3.291 (d) is suspended only insofar as it requires prior written authority of the Commission for the rebroadcasting of programs originated for that express purpose by United States Government radio stations.

¹ As used in this section, program includes any complete program or part thereof.

² In case a program is transmitted from its point of origin to a broadcast station entirely by telephone facilities in which a section of such transmission is by radio, the broadcasting of this program is not considered a rebroadcast.

³ The notice and certification of consent shall be given within three (3) days of any single rebroadcast, but in case of the regular practice of rebroadcasting certain programs of a standard or FM broadcast station several times during a license period, notice and certification of consent shall be given for the ensuing license period with the application for renewal of license, or at the beginning of such rebroadcast practice if begun during a license period.

⁴ The broadcasting of a program relayed by a relay broadcast station or studio transmitter link is not considered a rebroadcast.

APPENDIX

TABLE SHOWING ORIGIN OF RULES AND REGULATIONS CONTAINED IN SUBPART B OF PART 3 OF COMMISSION'S RULES AND REGULATIONS

Rule No.	Origin (present rules and regulations)
3.201	New.
3.202	New.
3.203	New.
3.204	New.
3.205	New.
3.211	1.351 and 1.352.
3.212	1.353.
3.213	1.355.
3.214	2.41.
3.215	1.356.
3.216	2.42 and 3.229.
3.217	2.43 and 2.44.
3.218	3.231.
3.219	2.46.
3.220	1.360 and 1.362.
3.221	1.363.
3.222	1.369 and 1.370.
3.223	1.364.
3.231	3.101.
3.232	3.102.
3.233	3.103.
3.234	3.104.
3.235	3.105.
3.236	3.106.
3.237	3.107.
3.238	3.108.
3.239	New.
3.240	3.230.
3.251	3.241.
3.252	3.243.
3.253	3.244.
3.254	3.245.
3.255	3.63.
3.256	3.64.
3.257	3.248.
3.261	3.224 and 3.261.
3.262	3.212.
3.263	2.48.
3.264	2.51 and 3.401.
3.265	2.53, 3.402, 3.403.
3.266	3.228.
3.267	3.251.
3.268	3.252.
3.269	3.253.
3.270	2.82.
3.281	3.404.
3.282	2.54 and 3.405.
3.283	2.55.
3.284	2.56.
3.285	2.57.
3.286	2.58.
3.287	3.406.
3.288	3.407.
3.289	3.409.
3.290	3.421-3.424.
3.291	3.408.

Adopted by the Federal Communications Commission on September 12, 1945, effective immediately.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F.R. Doc. 45-17579; Filed, Sept. 20, 1945;
10:50 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter D—Freight Forwarders

PART 447—FILING OF CONTRACTS FOR JOINT LOADING AND TERMINAL SERVICES AND FACILITIES

At a session of the Interstate Commerce Commission, Division 1, held at

No. 186—5

its office in Washington, D. C., on the 12th day of September, A. D. 1945.

It appearing, that subsection 412 (a) of the Interstate Commerce Act provides, among other things, that the Commission may require any freight forwarder subject to part IV of the act to file with it a true copy of any contract or agreement between such forwarder and any other person in relation to transportation facilities, services, or traffic affected by the provisions of part IV;

It further appearing, that subsection 404 (d) of the act provides: "Nothing in this part shall be construed to prohibit any freight forwarder from entering into an agreement with another freight forwarder for the joint loading of traffic between points in transportation subject to this part, except that the Commission may cancel, suspend, or require the modification of any such agreement which it finds, after reasonable opportunity for hearing, to be inconsistent with the national transportation policy declared in this act."

And it further appearing, that it is necessary for the purpose of administration, execution, and enforcement of part IV of said act that all freight forwarders subject to the act should be required to file with the Commission copies of contracts and agreements, to which two or more of them are parties, for joint loading and for all terminal services and facilities, and the division so finding, therefore, it is ordered, that

§ 447.1 *Filing of contracts between freight forwarders for joint loading.* All contracts or agreements between freight forwarders for joint loading and for all terminal services and facilities shall be in writing; and each freight forwarder which is a party to such a contract or agreement on the date this order becomes effective or which shall thereafter enter into such a contract or agreement, immediately shall file with the Commission a verified copy of each such contract in the form in which the same was or may be executed. (56 Stat. 294; 49 U. S. C. 1012)

Effective date. This order shall take effect and be in force on and after November 19, 1945.

Notice. Notice of this order shall be given to all freight forwarders subject to part IV of the Interstate Commerce Act by mailing a copy thereof to each known freight forwarder subject to the act, by posting one copy in the office of the Secretary of this Commission in Washington, D. C., and by filing it with the Director, Division of Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-17618; Filed, Sept. 20, 1945;
11:46 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Area Coordinator's Gen. Direction
No. H-11C]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT

Pursuant to Order No. 1956 of the Secretary of the Interior, as amended June 11, 1945, commonly referred to as the "Halibut Order", 50 C.F.R. § 491.4 entitled "Allocation of Halibut" and in order to accomplish the purposes thereof, including, particularly, paragraph (d) (2) of that order, this General Direction No. H-11C is issued.

1. The Area Coordinator has determined that the following persons in British Columbia are participants in and conform to a voluntary program for the allocation of halibut which is in accord with the purposes and policy of the halibut order:

Bacon Fisheries
Royal Fish Company
Rupert Fish Company

2. In accordance with the halibut order, particularly paragraph (d) (2) thereof, fishermen subject to the terms of that order may sell or deliver or arrange to sell or deliver halibut in British Columbia to the persons named above.

3. Notice is hereby given that any fisherman from a vessel of American registry who, acting for himself or through an agent, sells or delivers or arranges to sell or deliver halibut to any person in British Columbia other than a person named above, will be guilty of a violation of that order and subject to the penalties provided for violations of that order.

Issued this 12th day of September 1945.

V. J. SALISON,
Area Coordinator, Area I.

[F. R. Doc. 45-17578; Filed, Sept. 20, 1945;
9:54 a. m.]

Notices

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration.

MILK IN WASHINGTON, D. C., MARKETING AREA

NOTICE OF REPORT AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS

Notice of report and opportunity to file written exceptions with respect to a proposal which was not reported on in the report with respect to a proposed amended order, regulating the handling of milk in the Washington, D. C., marketing area filed June 30, 1945.

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Cum. Supp. 900.1 et seq.), notice is hereby given of the filing of this report of the Assistant Administrator, Production and Marketing Administration, with respect to a proposed amendment to the tentatively approved marketing agreement, as

amended, and order, as amended, regulating the handling of milk in the Washington, D. C., marketing area, to be made effective under the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.) which amendment would increase the price to be paid producers for milk disposed of for fluid consumption.

Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331 South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 8th day after publication of this notice in the *FEDERAL REGISTER*. Exceptions should be filed in quadruplicate.

This proceeding was initiated by the Office of Marketing Services, War Food Administration now Production and Marketing Administration through the issuance and publication in the *FEDERAL REGISTER*, on March 31, 1945, of a notice of hearing. Pursuant to such notice the hearing was convened in Washington, D. C., on April 16, 1945.

A report filed June 30, 1945, and published in the *FEDERAL REGISTER* July 3, 1945, stated conclusions reached with respect to other issues developed at the hearing. A small increase in the price of milk for Class I milk was recommended in that report, to compensate producers for the decrease recommended in the price for milk used in cream and cottage cheese. A separate proposal to increase the price of Class I milk by 49 cents per hundredweight was also made at the hearing and testimony with respect to this proposal was presented.

With respect to the proposal to increase the Class I price 49 cents per hundredweight it is concluded that this additional increase in the Class I price should not be made at this time since:

1. Prices received by producers in this area for all milk, exclusive of dairy production payments, are greater in purchasing power without this additional increase than those received during the base period (August 1924-July 1929).

2. Prices received by producers in this area, without this additional increase but including the dairy production payments, are not unreasonable in view of prices of feeds, feed supplies, and other economic conditions affecting market supply and demand for milk and its products in the marketing area.

The weighted average prices received by Washington producers for all milk exceeded by 8 cents per hundredweight in February 1945 the level necessary to give milk a purchasing power equal to that in the base period. During each month of 1944 prices received exceeded this measure of parity, ranging from 5 to 16 cents higher. Including dairy production payments, returns to producers for all milk exceeded parity by 68 cents in the year 1944.

One of the most significant factors affecting the relationship between the supply of milk produced locally and the demand for milk in the marketing area has been the tremendous increase in population. The population of the metropolitan Washington area has increased approximately 50 percent since 1940. The rapid influx of persons into the area,

together with their increased buying power, has given rise to a sharp increase in the demand for milk. Fluid milk sales apparently increased by about 71 percent between 1940 and 1944. The location of several camps of the armed services within a relatively short distance of the city of Washington contributed to a great extent to this higher demand for milk.

Market receipts of milk from regularly inspected local producers apparently increased by about 24 percent between 1940 and 1944.

While on an annual basis market receipts were in excess of fluid milk and milk drink sales in the market in 1944, seasonal variations in receipts made it necessary in 1944 to supplement local supplies with outside receipts during half the year to supply local sales of milk and milk drinks, alone. This has been true since 1942. The local health departments have approved, on temporary permits, the receipt in the area of milk and cream from plants designated as emergency milk plants. These plants are temporarily approved as sources of milk and cream without the health department regularly inspecting the farms supplying such plants and without requiring that such farms hold farm inspection permits. Purchases of milk from these emergency milk plants amounted to approximately 73 million pounds of milk in 1944 in addition to more than 1 million pounds of emergency approved cream.

The trend of milk production in the United States and in the states and areas adjacent to the Washington milkshed indicate that in the future more milk will be available at these emergency milk plants than has been true heretofore. Milk production trends are upward in most of these areas as well as in other nearby cities which have also been drawing upon these plants as sources of emergency milk.

It was maintained at the hearing by the proponents of the 49-cent price increase that such an increase is necessary in order to bring the local inspected supply of milk more nearly in line with the demand for milk in the area. Evidence was presented in the hearing to show that the price of feeds and the cost of farm labor have increased substantially since January 1941. There have also been during part of this intervening period local shortages of feed supplies, particularly hay. The record also shows, however, that since January 1941 the price received by Washington producers has advanced from \$2.79 per hundredweight of 4 percent milk to \$3.97 per hundredweight, exclusive of dairy production payments. Direct dairy production payments to farmers in the Washington milkshed have been made since October 1943 and during the year 1945 will average slightly more than 60 cents per hundredweight. In addition, most of the producers in the Washington milkshed were given special payments on hay during the winter of 1943-1944, and they received a supplemental payment of 10 cents per hundredweight to help offset the effects of short hay supplies during the winter of 1944-1945.

These payments have been made to all dairy farmers in this region on all milk sold by them. The payments are designed to compensate dairy farmers for increased costs of feed and labor not reflected in the prices they receive from milk. Evidence with respect to such increases in this region was considered in connection with the determination of the dairy production payment rates. The hearing record does not indicate that producers in the Washington market have experienced greater increases in costs of feed and labor than those encountered by other dairy farmers in this particular area.

With respect to production trends, receipts of milk from local inspected producers increased by approximately 24 percent between 1940 and 1944. This increase was achieved by an increase of 9 percent in the number of producers supplying the market and 12.3 percent in average deliveries per day per dairy. During the same period, total production of milk on farms in the United States increased 10.4 percent. During the 6 months ending with February 1945, receipts of milk from local inspected producers for the Washington market were 4.6 percent higher than during the same 6 months a year earlier. For the United States as a whole, the increase in milk production on farms for the same 6 months was 2.9 percent higher than during the same 6 months a year earlier. Monthly figures introduced into the hearing record show that market receipts from local inspected producers exceeded those during the same month a year earlier in 9 of the 10 months ending with February 1945. Sales of fluid milk and milk drinks in the marketing area also exceeded sales during the same month a year earlier in 8 of the 10 months ending with February 1945. The increases in market receipts from local inspected producers, however, were generally in excess of the increases in sales of fluid milk and milk drinks, in the marketing area. The result was that in 8 of the 10 months ending with February 1945, the excess of market receipts over sales of fluid milk and milk drinks in the area was greater, or the deficit was smaller, than in the corresponding month a year earlier. In the 12 months ending February 1945, the deficit of producers' milk was greater in relation to sales in the market of milk, milk drinks, cottage cheese, and cream in the winter months, and the deficit was less in the summer months than in the previous year.

These data and analyses indicate that under the present prices and with dairy production payments which are being made, there is being achieved a balance of receipts from local producers and the local sales of fluid milk and milk drinks in the area. Although the margin between demand for those products which usually are made from locally inspected milk and the local supply is still widening, the current deficit is principally due to sales of cream and cottage cheese. To advance the Class I price of milk at this time in an effort to hasten the achievement of a complete supply of locally in-

spected milk is not found to be in the public interest.

This report filed at Washington, D. C., this 19th day of September, 1945.

[SEAL] C. W. KITCHEN,
Assistant Administrator,
Production and
Marketing Administration.

[F. R. Doc. 45-17544; Filed, Sept. 19, 1945;
3:36 p.m.]

FEDERAL POWER COMMISSION.

[Docket No. G-659]

KENTUCKY NATURAL GAS CORP.

NOTICE OF APPLICATION

SEPTEMBER 17, 1945.

Notice is hereby given that on September 4, 1945, Kentucky Natural Gas Corporation (Applicant) a Delaware Corporation having its principal place of business at Owensboro, Kentucky, filed with the Federal Power Commission an application for a temporary certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended authorizing it to (1) operate an existing connection between the transmission pipelines of Tennessee Gas and Transmission Company (Tennessee Company) and Applicant located in Barren County, Kentucky, from December 1, 1945, until April 1, 1946, and (2) install heavy weight gate valves in place of the present light weight gate valves on Applicant's 6-inch connecting pipeline.

The application recites that the estimated peak day requirement for the winter 1945-1946 will be 27,500 mcf compared with a peak day requirement on Applicant's system during the winter of 1944-1945 of 26,491 mcf.

On December 16, 1944, (in Docket No. G-558), this Commission granted Applicant temporary authorization to operate the pipeline connection referred to above until April 1, 1945. On the peak day of the winter of 1944-1945, Applicant obtained from Tennessee Company 2,470 mcf through such connection.

Applicant now seeks authorization to operate the connection with the Tennessee Company's pipeline in order to receive from the latter 5,250 mcf of natural gas, either by allocation or by contract, in order to meet the 1945-1946 winter peak day demand. It is asserted that the heavier valves must be installed because with the present fittings it is not practicable for Applicant to receive through its 6-inch line gas at the rate of 5,250 mcf per day.

According to the application, the additional gas is required by reason of the depletion of Applicant's wells which are expected to produce only 4,250 mcf on the peak day of the winter 1945-1946. This quantity of gas added to 15,000 mcf to be received from Panhandle Eastern Pipe Line Company and 3,000 mcf of storage gas leaves a deficit of 5,250 mcf needed in order to satisfy the peak demand of 27,500 mcf.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 2d day of October 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-17529; Filed, Sept. 19, 1945;
2:49 p.m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE 42]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof,

was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form AFC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 14, 1945.

[SEAL]

JAMES E. MARKHALL,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
		<i>Item 1</i>			
Andres Gaceta	Philippine Islands	Estate of Emilio R. Gaceta, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 210713.	\$110.72	Security First National Bank of Los Angeles, Civic Center Branch, 119 South Spring Street, Los Angeles, Calif., Account No. 37670.	\$13.13
		<i>Item 2</i>			
Andrie Gaceta	Philippine Islands	Same	\$110.67	Security First National Bank of Los Angeles, Civic Center Branch, 119 South Spring Street, Los Angeles, Calif., Account No. 37671.	13.13
		<i>Item 3</i>			
Honorata Torres Fernandez	Philippine Islands	Estate of Filemon S. Fernandez, also known as Filemon Fernandez, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 211493.	\$239.03	Security First National Bank of Los Angeles, Sixth and Spring Street, Los Angeles, Calif., Account No. 37614.	13.22
		<i>Item 4</i>			
Quon Fon Yin	China	Estate of Quon Cheng, deceased, in the Superior Court of the State of California, in and for the County of Santa Clara, No. 24433.	\$34.17	Do's Holland, County Treasurer, Santa Clara County, San Jose, Calif.	30.14

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
<i>Item 5</i>					
Terezio Vesely.....	Czechoslovakia.....	Estate of Charles R. Vesely, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 236416.	\$1,000.00.....	James F. Therry, Executor of the Estate of Charles R. Vesely, 522 North Grand Avenue, Covina, Calif.	\$70.15
<i>Item 6</i>					
Clarence O. Bohanan.....	Philippine Islands.....	Estate of Lydia S. Getze, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 214090.	\$385.74.....	Farmers and Merchants National Bank of Los Angeles, Calif., Savings Account No. 6901.	41.97
<i>Item 7</i>					
Edward G. Bohanan.....	Philippine Islands.....	Same.....	\$50.00.....	Farmers and Merchants National Bank of Los Angeles, Calif., Savings Account No. 6923.	5.43
<i>Item 8</i>					
Mary Lydia Bohanan.....	Philippine Islands.....	Same.....	\$50.00.....	Farmers and Merchants National Bank of Los Angeles, Calif., Savings Account No. 6482.	5.43
<i>Item 9</i>					
Elmo Hansen.....	Denmark.....	Estate of Andrew Larsen, also known as A. Larson, deceased, in the Superior Court of the State of California, in and for the County of Sonoma.	\$440.00.....	A. Sporon-Fiedler, Consul General of Denmark, Mills Building, San Francisco, Calif.	23.20
<i>Item 10</i>					
Maria Hansen.....	Denmark.....	Same.....	\$440.00.....	Same.....	23.20
<i>Item 11</i>					
Cezera Manani (true name Cezera Manani).....	Italy.....	Estate of Guido Marcelli, deceased, in the Superior Court of the State of California, in and for the County of Alameda.	\$1,500.00.....	Gildo Marcelli, Executor of the Last Will and Testament of Guido Marcelli, deceased, 1142 Francisco Street, Berkeley, Calif.	12.97
<i>Item 12</i>					
Joseph Marcelli.....	Italy.....	Same.....	\$1,500.00.....	Same.....	12.97
<i>Item 13</i>					
Costas Pappas.....	Greece.....	Estate of S. Stamoules, also known as Spero Stamoules, also known as Seros Stamoules, also known as S. S. Stamoules, deceased, in the Superior Court of the State of California, in and for the County of Fresno, No. 18261.	\$1,000.00.....	K. G. Murphie, Executor of the Last Will and Testament of S. Stamoules, deceased, Mendota, Fresno County, Calif.	20.40
<i>Item 14</i>					
Anastasio Pappas.....	Greece.....	Same.....	\$1,000.00.....	Same.....	20.40
<i>Item 15</i>					
Marigo Sakellariou.....	Greece.....	Same.....	\$2,000.00.....	Same.....	40.70
<i>Item 16</i>					
Constantinus Kostakis.....	Greece.....	Estate of Soterios Ione Kostakis, also known as Soterios John Kostakis, deceased, in the Superior Court of the State of California, in and for the County of San Diego, No. 32-298.	\$582.37 & 1/4 interest in bank deposit in Greece totaling \$8,487.77.	Bank of American National Trust and Savings Association, Chula Vista Branch, Chula Vista, San Diego County, Calif., Commercial Account in the name of Constantinus Kostakis.	178.21
<i>Item 17</i>					
Katherino Kostakis Benckos.....	Greece.....	Same.....	\$582.37 & 1/4 interest in bank deposit in Greece totaling \$8,487.77.	Bank of America National Trust and Savings Association, Chula Vista Branch, Chula Vista, San Diego County, Calif., Commercial Account in the name of Katherino Kostakis Benckos.	178.21

[F. R. Doc. 45-17494; Filed, Sept. 19, 1945; 10:31 a. m.]

[Vesting Order CE 43]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW JERSEY COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or

was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

dian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Gianbattista Paolino	Italy	Estate of Raffaele Paolino, deceased, Passaic County Orphans' Court, Passaic County, N. J.	\$91.84	Carmine O. Pollicio, Administrator of the Estate of Raffaele Paolino, deceased, c/o Andrew Mainardi, Esquire, 312 Main Street, Paterson, N. J.	\$7.33
<i>Item 2</i>					
Maria Paolino	Italy	Same	01.84	Same	7.33
<i>Item 3</i>					
Ellen Paolino	Italy	Same	01.85	Same	7.34
<i>Item 4</i>					
Nina De Mattia De Luca	Italy	Estate of Joseph De Mattia, deceased, Passaic County Orphans' Court, Passaic County, N. J.	\$37.03	Eleanor De Mattia Martinelli, Administratrix of the Estate of Joseph De Mattia, deceased, c/o Louis Bertani, 233 Dayton Avenue, Clifton, N. J.	27.45
<i>Item 5</i>					
Carlo Acerbi	Italy	Estate of Attilio Acerbi, deceased, Passaic County Orphans' Court, Passaic County, N. J.	\$61.04	Caterina Tomazewski, Administratrix of the Estate of Attilio Acerbi, deceased, c/o Charles Gorgio, 135 Washington Street, Paterson, N. J.	45.67
<i>Item 6</i>					
Lillian Bianchi	Italy	Same	\$61.03	Same	45.67
<i>Item 7</i>					
Adelgisa Acerbi	Italy	Same	\$61.03	Same	45.63
<i>Item 8</i>					
Cristofaro Vargaro	Italy	Estate of Rocco Vargaro, deceased, Passaic County Orphans' Court, Passaic County, N. J.	\$20.27	Anthony Raguzel, Administrator of the Estate of Rocco Vargaro, deceased, c/o Colombo Commasano, Esquire, Second National Bank Building, Paterson, N. J.	21.03
<i>Item 9</i>					
Carmela Vargaro	Italy	Same	\$20.27	Same	21.03
<i>Item 10</i>					
Leendert Arnold	Holland	Estate of Christoffer Bomert, deceased, Hudson County Orphans' Court, Hudson County, N. J.	1,000.02	Hudson County National Bank, Executor of the Estate of Christoffer Bomert, deceased, c/o Oscar Greenberg, 75 Montgomery St., Jersey City, N. J.	8.15
<i>Item 11</i>					
Gerda Arnold	Holland	Same	1,000.02	Same	8.15
<i>Item 12</i>					
Peter Christian Bomert	Holland	Same	1,000.02	Same	8.15
<i>Item 13</i>					
Anna Bomert	Holland	Same	1,000.02	Same	8.15
<i>Item 14</i>					
Gerda Schoenheit	Holland	Same	1,000.02	Same	8.15
<i>Item 15</i>					
Bertha Schoenheit	Holland	Same	1,000.02	Same	8.15
<i>Item 16</i>					
Bernard Schoenheit	Holland	Same	1,000.02	Same	8.15
<i>Item 17</i>					
Marie Lichtenstein	Czechoslovakia	Estate of Bedrich Lichtenstein, deceased, Essex County Orphans' Court, Essex County, N. J.	151.07	Raymond Sills, Administrator of the Estate of Bedrich Lichtenstein, deceased, c/o Leo Gold, 17 Clinton Place, Newark, N. J.	10.35
<i>Item 18</i>					
Hannah Lichtenstein	Czechoslovakia	Same	151.07	Same	10.35
<i>Item 19</i>					
Paul Lichtenstein	Czechoslovakia	Same	151.03	Same	10.35

[F. R. Doc. 45-17495; Filed, Sept. 19, 1945; 10:31 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Amdt. 1 to Order 610]

ROYAL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation 260, *It is ordered, That:*

The maximum prices for the "Postman-Postman" cigar set forth in paragraph (a) of Order No. 610 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Pack- ing	Maxi- mum ret. price	Maxi- mum retail price
Postman	Postman	25	Per 25 Cents	2 for 15

This amendment shall become effective September 20, 1945.

Issued this 19th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17503; Filed, Sept. 19, 1945; 11:25 a. m.]

[MPR 260, Order 1844]

JOSEPHINE G. FLEITAS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Josephine G. Fleitas Cigar Factory, 1906 10th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and pack-

ing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Mahoma.....	Lords.....	50	Per M \$101.25	Cents 2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 20, 1945.

Issued this 19th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17510; Filed, Sept. 19, 1945; 11:25 a. m.]

[MPR 260, Order 1846]

PEDRO BAERGA VALLES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Pedro Baerga Valles, Patillas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
P. Paerga.....	Breva.....	50	Per M \$24	Cents 3

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall ap-

ply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 20, 1945.

Issued this 19th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17511; Filed, Sept. 19, 1945; 11:26 a. m.]

[MPR 260, Order 1847]

EVA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Eva Cigar Company, Route 4, Box 1329, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Anthony.....	Sargento ¹	50	Per M \$90.00	Cents 12
	Corona ¹	50	57.70	13
	Brevas ¹	50	101.25	2 for 27

¹ These prices apply to these brands and frontmarks only when made of all (type 81) Havana tobacco.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely com-

petitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 20, 1945.

Issued this 19th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17512; Filed, Sept. 19, 1945;
11:26 a. m.]

[MPR 260, Order 1848]

VALENTIN VINA & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Valentin Vina and Company, 2011 8th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Valvina, Tampa Maid.	Coronitas.....	50	\$101.25	2 for 27
	Brevas.....	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a whole-

saler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 20, 1945.

Issued this 19th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17513; Filed, Sept. 19, 1945;
11:20 a. m.]

[RPS 40, Order 21]

CORBIN CABINET LOCK CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1346.1 (b) (3) of Revised Price Schedule No. 40 and section 9 of Maximum Price Regulation No. 591; *It is ordered*:

(a) The maximum list prices, f. o. b. New Britain, Connecticut, for sales by the Corbin Cabinet Lock Company of the following padlocks, shall be:

Model P-75.....	Per dozen \$10.00
Model P-75 (h).....	13.33

(b) The maximum list prices established in (a) above shall be subject to the following discounts:

On sales to jobbers.....	Percent 50-10
On sales to retailers.....	40

(c) Jobbers shall determine their maximum prices in accordance with § 1346.1 (b) (4) of Revised Price Schedule No. 40.

(d) The maximum net prices for sales by retailers of the following padlocks

manufactured by the Corbin Cabinet Lock Company, shall be:

Model P-75.....	Each \$0.75
Model P-75 (h).....	1.00

(e) The maximum prices established by this order shall be subject to discounts and allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during October 1-15, 1941, for the manufacturer and jobbers, and March 1942, for retailers.

(f) The Corbin Cabinet Lock Company shall notify, in writing, each of its purchasers, at or before the time of the issuance of the first invoice after the effective date of this order, of the maximum prices established thereunder for it on sale to each purchaser as well as the purchaser's maximum price for resale or the purchaser's method of determining a maximum price for resale.

(g) The Corbin Cabinet Lock Company shall print in a conspicuous place on the box containing the padlocks priced by this order or attach a tag to such padlocks indicating the following:

Maximum retail price for Model No. P-75.....	Each \$0.75
Maximum retail price for Model No. P-75 (h).....	1.00

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 20, 1945.

Issued this 19th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17555; Filed, Sept. 19, 1945;
4:21 p. m.]

[MPR 132, Amdt. 1 to Order 4]

RUBBER FOOTWEAR

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to §§ 1315.70 (b) and 1315.73 (b) of Maximum Price Regulation 132, and section 6.4 of Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, paragraph (b) (1) of Order No. 4 under Maximum Price Regulation 132 is amended as follows:

1. The following items and prices are added to the list of rubber footwear and maximum prices under the heading "Waterproof Footwear":

Item	Maximum price list (per pair)
Men's 5-buckle rubber arctic, Special jumbo last.....	\$4.25
Boat, line wader, all rubber.....	6.35

2. The following item and price is added to the list of footwear and maximum prices under the heading "Canvas Footwear":

Item	Maximum price list (per pair)
Men's training shoe, calendered sole.....	\$2.00

This amendment shall become effective September 20, 1945.

Issued this 19th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-17559; Filed, Sept. 19, 1945;
4:22 p. m.]

Regional and District Office Orders.

[Region I Order G-21 Under SR 15, MPR 280,
and MPR 329, Amdt. 13]

FLUID MILK IN MAINE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation No. 280 and § 1351.408 of Maximum Price Regulation No. 329, Order G-21 is hereby amended in the following respects:

1. The subdivision designated Franklin County in paragraph (a) (2) is amended to read as follows:

<i>Franklin County</i>	<i>Zone</i>
Dallas Plantation, Farmington, Jay, New Vineyard, Phillips, Rangeley, Rangeley Plantation, Sandy River Plantation, Strong and Wilton.....	4
Remainder of Franklin County.....	9

2. A new subparagraph (13) is added to paragraph (h) to read as follows:

(13) Amendment No. 13 shall become effective on September 18, 1945 at 12:01 a. m.

Issued this 18th day of September 1945.

WILLIAM E. HALE,
Acting Regional Administrator.

Approved: September 14, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-17449; Filed, Sept. 18, 1945;
4:20 p. m.]

[Region IV Order G-17 Under SR 15, MPR 280
and MPR 329, Amdt. 5]

FLUID MILK IN GEORGIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation 280 and section 8-A of Order G-17, it is hereby ordered that Order G-17 be amended in the following respects:

A second proviso is added to the end of section 14 (d) to read as follows:

Provided, further, The maximum price of fluid whole milk and buttermilk sold and delivered in Floyd County in paper containers shall be 1¢ per container higher than the price set forth in Table 4 above for the same quantity in a glass container of one quart or smaller container.

This amendment shall become effective September 18, 1945.

Issued: September 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

Approved: September 14, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-17450; Filed, Sept. 18, 1945;
4:20 p. m.]

[Region IV Orders G-18, G-19, G-20, G-21, Amdt. 3; Orders G-15, G-17, G-22, Amdt. 4; Order G-16, Amdt 5; Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (i) (c) of the General Maximum Price Regulation, § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (g) of Maximum Price Regulation 329, it is hereby ordered that the above enumerated orders be amended in the following respects:

1. Section 1 is amended by adding a new paragraph (c), to read as follows:

On and after September 18, 1945 all quantity limitations on the sale of special fluid milk at a premium price set forth in any order issued under the General Maximum Price Regulation, Supplementary Regulation 14, Supplementary Regulation 14A, or any individual order issued pursuant to this order since April 15, 1945, are revoked.

2. Section 3 (g) is amended to read as follows:

"Special fluid whole milk" means a particular seller's Grade A fluid milk which in addition conforms to at least one of the following standards: (1) "Breed" milk which complies with the published production and distribution standards and requirements of any national dairy breed association such as the American Jersey Cattle Club and the American Guernsey Cattle Club; (2) "Certified" milk which complies with the published production and distribution standards and requirements of the American Medical Milk Commission or its duly authorized agents; (3) "High butterfat" milk which contains more than $\frac{3}{4}\%$ of butterfat in excess of the minimum butterfat standards established by any federal, state or local government agency for "approved fluid whole milk"; and (4) "Special processed" milk which has been subjected to additional processing other than by cooling, weighing, testing, reconstituting, bottling, standardizing or separating, for example, homogenization and/or "fortification" with Vitamin D.

3. Section 7 is amended to read as follows:

Sec. 7. (a) Each seller named in section 16 or in any special order issued between April 15, 1945, and September 18, 1945, pursuant to this section is authorized to sell special fluid whole milk of the type there specified at the maximum prices set forth opposite his name or in such special order. These maxi-

mum prices have been established by filings under Supplementary Regulation 14A, by orders issued by the Atlanta Regional Office pursuant to Supplementary Regulation 14A, and under this order. All quantity limitations contained in any special order issued pursuant to this section are deleted from such special order, effective September 18, 1945.

(b) Except as otherwise authorized in section 16 or by special order issued pursuant to this section, no person shall sell a "special fluid whole milk" at a premium price except in accordance with the following provisions:

(1) Any seller of a "breed" milk as defined in section 3 (g) may add 1¢ per quart and $\frac{1}{2}\%$ per smaller container to the maximum price set forth in the applicable table in section 14 for the same quantity of "approved fluid whole milk";

(2) Any seller of a "certified" milk as defined in section 3 (g) may add 2¢ per quart and 1¢ per smaller container to the maximum price set forth in the applicable table in section 14 for the same quantity of "approved fluid whole milk";

(3) Any seller of a "high butterfat" milk may add a premium only in accordance with the following provisions:

(i) Any seller of a "high butterfat" milk named in section 16 or by special order pursuant to this section since April 15, 1945, may sell such milk at the premium price set forth opposite his name or in such special order.

(ii) Any seller unable to establish a maximum price under the foregoing provision may not sell a "high butterfat" milk at a premium price until he applies in writing to the Atlanta Regional Office, Candler Building, Atlanta 3, Georgia, for permission to sell such "high butterfat" milk at a premium price and is granted such permission by written order from that office.

The application shall be in duplicate and shall contain a statement setting forth the following:

(a) The maximum price charged by the applicant for such "high butterfat" milk during March, 1942;

(b) The prevailing price of standard approved milk in the same market area during March, 1942; and

(c) The name of all communities in which the applicant sold "high butterfat" milk at a premium price over standard whole milk during March, 1942, and April, 1945.

If the applicant did not sell a "high butterfat" milk in a particular market during March, 1942, and/or April, 1945, he must present evidence that another seller has on or before April 30, 1945, established a premium price for a "high butterfat" milk in such market.

(4) A seller of "special processed" milk may not sell such milk in excess of the maximum price for standard fluid whole milk unless he has applied to the Atlanta Regional Office and received permission to sell such special milk at a premium price and is granted such permission by a written order from that office. The applicant must show, unless otherwise provided below, that he had an established premium price during or prior to April, 1945, or that another seller in such market had established a premium price for the particular type of "special proc-

essed" milk in such market on or before April 30, 1945;

Except, that a seller of such "special processed" milk which has been subjected to a processing consisting of both homogenization and "fortification" may charge a premium of 1¢ per quart and ½¢ per smaller container over the maximum price for standard fluid whole milk provided by the applicable table in section 14.

(5) Any seller of a "breed" milk or "certified" milk who desires a higher maximum premium price than that provided by section 7 (b) (1) or (2) of this order may apply in writing to the Atlanta Regional Office for permission to sell such special milk at a premium price higher than that provided by such general provisions.

The application shall indicate specific reasons why the general provisions in section 7 (b) (1) or (2) are unsatisfactory.

The application must present evidence that the applicant or another seller in the particular market area had the same established premium price differential for the same type of milk prior to April 30, 1945, as that requested in the application.

(c) Except for the named special buttermilks authorized to the specific sellers named in section 16 or in a special order issued pursuant to this section subsequent to April 15, 1945, no person shall sell a "special" buttermilk at a premium price on or after September 18, 1945, unless he applies in writing to the Atlanta Regional Office, Candler Building, Atlanta, Georgia, for permission to sell such special buttermilk at a premium price and is granted such permission by written order from that office. The application shall show:

(1) Each type of special buttermilk sold at a premium price during the months of March, 1942 and April, 1945;

(2) The established price for each size and container type sold by the applicant during such time and the prevailing price of plain buttermilk during March, 1942, in the particular market; and

(3) The names of all communities where the applicant sold special buttermilk at a premium price over plain buttermilk in March, 1942 and April, 1945.

Unless the applicant is able to present evidence that he had an established premium price during March, 1942 or that another seller has established a premium price for a "special" buttermilk in the same particular market, the Atlanta Regional Office shall not grant the applicant permission to sell "special" buttermilk at a premium price.

(d) The Atlanta Regional Office may correct or revise any maximum prices established for any type of special milk, having due regard to the differentials prevailing in adjoining areas.

(e) No authorized seller may charge a premium price for a "special" whole milk or a "special" buttermilk unless each container is marked or otherwise designated in such a manner as to clearly differentiate it from the standard whole milk and/or plain buttermilk on which the seller has established a maximum price under the applicable table of section 14. Sales of any "special" milk in

a container which is not so differentiated shall be at prices no higher than the maximum prices established for the particular container type of standard whole milk and the class of sale established by this order.

(f) No seller who on or before April 30, 1945, offered a standard and special whole fluid milk and/or a plain and special buttermilk shall discontinue offering standard fluid whole milk and/or plain buttermilk. If the purchaser from such a seller cannot obtain standard whole fluid milk or plain buttermilk when ordered and the seller elects to deliver special whole milk or special buttermilk, as the case may be, the maximum price for such special fluid milk may not exceed the maximum prices established by the applicable table of section 14 for standard fluid whole milk or plain fluid whole buttermilk, as the case may be. A seller who discontinues the sale of standard whole milk or plain buttermilk and continues to sell special whole milk and/or special buttermilk may not charge for such special milk a price in excess of the maximum prices established by the applicable table of section 14 for standard whole milk and/or plain buttermilk.

(g) A retail store which purchases special milk at wholesale from a seller entitled by this order or by a special order issued by the Atlanta Regional Office to charge a premium wholesale price on such special milk may add a markup not exceeding 2¢ per quart or 1¢ per smaller container to his supplier's wholesale selling price, but in no case to a cost higher than the supplier's wholesale ceiling price established pursuant to this order.

This amendment shall become effective September 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

Approved: September 14, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-17451; Filed, Sept. 18, 1945;
4:21 p. m.]

[Region IV Order G-21 Under SR 15, MPR
280 and MPR 329, Amdt. 4]

FLUID MILK IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation, § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (c) of Maximum Price Regulation 329; *It is hereby ordered*, That Order G-21 be amended in the following respect:

Section 7 (b) (3) is amended by adding a new subparagraph (iii), to read as follows:

(iii) Any seller in the Memphis, Tennessee area, including all of Shelby County, may sell approved fluid whole milk with a minimum butterfat content of 5 per cent in glass and paper containers at the following maximum premium prices:

	Quarts	Pints	Half-pints
Wholesale.....	Cents 13½	Cents 8	Cents 4½
Retail.....	Cents 15½	Cents 9	Cents 6

This amendment shall become effective September 18, 1945.

Issued: September 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

Approved: September 14, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-17452; Filed, Sept. 18, 1945;
4:21 p. m.]

[Region IV Order G-22 Under SR 15, MPR 280
and MPR 329, Amdt. 5]

FLUID MILK IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (g) of Maximum Price Regulation 329; *It is hereby ordered*, That Order G-22 be amended in the following respect:

Section 7 (b) (3) is amended by adding a new subparagraph (iii), to read as follows:

(iii) Any seller who sells and delivers a special milk with a butterfat content of not less than 4.5% within the following counties, together with all cities, towns and municipalities located within such geographical limits: Accomac, Elizabeth City, Gloucester, James City, Mathews, Norfolk, Northampton, Princess Anne, Warwick and York; may sell such "high butterfat" milk at the following maximum prices:

	Quarts	Pints	Half-pints
Wholesale.....	Cents 18	Cents 10½	Cents 6½
Retail, home-delivered.....	Cents 20		

This amendment shall become effective September 18, 1945.

Issued: September 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

Approved: September 14, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-17454; Filed, Sept. 18, 1945;
4:22 p. m.]

[Region V Order G-8 Under SR 14A]

FLUID MILK IN MADISON AND ST. FRANCOIS COUNTIES, MO.

Pursuant to an application filed by Voss & Stroup, d/b/a Merchant's Dairy, Desloge, Missouri; F. M. Travis, d/b/a Bonne Terre Farm Cattle Co. Dairy, Inc., Bonne Terre, Missouri; Fred W.

Schramm, d/b/a Schramm Creamery & Bottling Co., Inc., Farmington, Missouri; and Health-Way Products, Inc., Fredericktown, Missouri; and for the reasons set forth in the opinion accompanying this order and under the authority vested in the Administrator of Region V, Office of Price Administration, by § 1499.73a (a) (1) (vii) (d) of Supplementary Regulation No. 14A and § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and by specific authority of the Price Administrator, *It is hereby ordered:*

(1) The maximum prices established by § 1499.73a (a) (1) (vii) of Supplementary Regulation No. 14A to the General Maximum Price Regulation for fluid milk in the counties of Madison and St. Francois, Missouri, are adjusted as follows:

(a) Sellers of milk in determining maximum prices for the sale of approved fluid milk in containers of 1 gallon or less shall determine such prices as though Madison and St. Francois Counties, Missouri, were classified in the appendix to § 1499.73a (a) (1) (vii) of Supplementary Regulation No. 14A to the General Maximum Price Regulation as being in Area 2a.

(2) This order may be revoked, amended or corrected at any time.

(3) Unless the context otherwise requires, the definitions set forth in § 1499.73a (a) (1) (vii) (d) of Supplementary Regulation No. 14A to the General Maximum Price Regulation shall apply to the terms used herein.

(4) The application is hereby denied in all respects except as above noted.

The applicants may within 60 days from the date on which this order is mailed to them, file an application with the Regional Administrator for review of the order by the Price Administrator in accordance with Revised Procedural Regulation No. 1, as amended.

This order shall become effective the 18th day of September 1945.

Issued at Dallas, Texas, this the 18th day of September 1945.

W. A. ORTH,
Regional Administrator.

Approved: September 14, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-17453; Filed, Sept. 18, 1945;
4:21 p. m.]

[Region VII Order G-11 Under Supp.
Order 94]

SURPLUS WAR COMMODITIES IN DENVER REGION

Order No. G-11 under Supplementary Order 94. Maximum retail prices for certain specified surplus war commodities when sold in Region VII. Docket No. 7-SO 94-11-22.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and sections 11 and 13 of Supplementary Order No. 94, as amended, and for the reasons set forth in the accompanying opinion, this Order No. G-11 is issued.

(a) *What this order does.* This Order No. G-11 establishes maximum retail prices for used window units and/or glazed sash, heretofore or hereafter sold by any government agency as used surplus war commodities, when sold at any place in this Region VII to an ultimate consumer or user.

(b) *Geographical applicability.* This Order No. G-11 covers sales of the surplus war commodities in question only when made in or made for delivery in Region VII, which includes all of the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(c) *Maximum retail prices.* The maximum retail prices for the used window units and/or glazed sash described below shall be as stated:

DESCRIPTION OF WINDOW UNITS AND/OR GLAZED SASH	Maximum retail price per window unit and/or glazed sash
(1) Plain rail hinged with frame and screen, 9 panes, size 10" x 12" glazed, to fit opening 36" x 45". Painted any color-----	\$3.30
(2) Plain rail hinged with frame and screen, 9 panes, size 9" x 12" to fit opening size 33" x 45"-----	2.60
(3) Plain rail hinged with frame and screen, 12 panes, size 8" x 10" to fit opening 29" x 35"-----	2.70
(4) Mullion or double window unit, consisting of frame, two sashes, plain rail, glazed, 12 panes size 9" x 14", hinged at bottom and two each screens. To fit openings 90" x 51". Painted any color-----	5.60
(5) Plain rail, glazed, SSB, complete with frame and without screen, 9 panes, size 9" x 12" to fit opening size 33" x 45". Painted any color-----	2.60
(6) Check rail, glazed, SSB, double hung, complete with frame and screen and spring bolt, 24 panes, size 9" x 12" to fit opening size 42" x 80"-----	6.00
(7) Mullion or double frame, complete with 2 each check rail windows, glazed, SSB, with 2 each screens and spring bolts, 12 panes, size 9" x 12" to fit opening size 71" x 57". Painted any color-----	4.00
(8) Plain rail, glazed, SSB, complete with frame and guard, 9 panes, size 9" x 12" to fit opening size 35" x 45". Painted any color-----	2.60
(9) Plain rail, glazed, SSB, complete with frame and guard, 9 panes, size 10" x 12" to fit opening 36" x 45" Painted any color-----	2.70
(10) Check rail, glazed, SSB, double hung, complete with frame and spring bolts, 16 panes, size 9" x 14" to fit opening size 42" x 62". Painted any color-----	4.00
(11) Check rail, glazed, SSB, double hung, complete with frame and screen and spring bolt, 16 panes, size 9" x 12" to fit opening size 42" x 57"-----	4.90
(12) Check rail, glazed, SSB, double hung, complete with frame and screen and spring bolt, 16 panes, size 9" x 14" to fit opening 42" x 65". Lights in lower sash non-transparent glass-----	5.50

DESCRIPTION OF WINDOW UNITS AND/OR GLAZED SASH—Continued

	Maximum retail price per window unit and/or glazed sash
(13) Check rail, glazed, SSB, double hung, complete with frame and screen and spring bolt, 16 panes, size 10" x 12" to fit opening size 46" x 57". Painted any color-----	\$5.10
(14) Check rail, glazed, SSB, double hung, complete with frame and screen and spring bolt, 12 panes, size 9" x 12" to fit opening size 33" x 57"-----	4.00
(15) Check rail, glazed, SSB, double hung, complete with frame and screen and spring bolts, 8 panes, size 8" x 12" to fit opening size 22" x 57"-----	3.40
(16) Check rail, glazed, SSB, double hung, complete with trans. guard and padlock and spring and bolts, 16 panes, size 9" x 12" to fit opening 42" x 57"-----	2.00
(17) Check rail, glazed, SSB, double hung and spring bolt without frame or screen, 16 panes, size 9" x 12" to fit over-all size 40" x 54"-----	2.00
(18) Single sash, glazed, SSB, without frame, 12 panes, size 9" x 12", over-all size 40" x 41", SCC-----	1.40
(19) Single sash, glazed, SSB, without frame, 2 panes, size 15" x 32", over-all size 36" x 36", SCC-----	1.60
(20) Single sash, glazed, SSB, without frame, 9 panes, size 10" x 12", over-all size 34" x 42", SCC-----	1.10
(21) Single sash, glazed, SSB, without frame, 4 panes, size 10" x 12", over-all size 24" x 29", SCC-----	.80
(22) Single sash, glazed, SSB, without frame, 6 panes, size 9" x 12", over-all size 30" x 28", SCC-----	1.30
(23) Single sash, glazed, SSB, without frame, 1 pane, size 33" x 41", over-all size 38" x 48", SCC-----	2.40
(24) Single sash, glazed, SSB, without frame, 9 panes, size 10" x 12", over-all size 34" x 41", SCC-----	1.80

(d) *Transportation allowance.* Any seller at retail of used war surplus commodities covered by this Order No. G-11 may add to the dollars-and-cents prices above set forth in paragraph (c) the amount of transportation costs necessarily incurred and actually paid by him.

(e) *Prices are f.o.b.* The maximum prices established by this Order No. G-11 are for sales made by a retail dealer f. o. b. his yard or place of business or for delivered sales within such seller's customary free delivery zone.

(f) *Discounts and allowances.* All sales at retail made under this Order No. G-11 are subject to the seller's customary discounts, allowances, and differentials, if any.

(g) *Pricing parts of a window unit.* If any window unit covered by this Order No. G-11, is dismantled and the parts thereof are sold separately, the seller must not charge, collect, or receive, either directly or indirectly, a greater sum for the parts of such window unit than the maximum price herein established for the complete unit.

(h) *Prices must be posted.* A person who offers for sale or sells any one or more of the used units covered by this Order No. G-11 must post in a conspicuous place at his place of sale a copy of the maximum price schedule hereinabove set forth.

(i) *Licensing.* The provisions of Licensing Order No. 1, licensing all per-

sons who make sales under price control, are applicable to all sellers subject to this Order No. G-11. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(j) *Right to revoke or amend.* This Order No. G-11 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-11 shall become effective on the 31st day of August 1945.

Issued this 31st day of August 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-17456; Filed, Sept. 18, 1945;
4:22 p. m.]

[Region VII Order G-62 Under MPR 188]

FLAKE AND JOHNSTON, ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-62 Under Maximum Price Regulation No. 188. Authorized maximum prices for a flower shovel manufactured by Flake and Johnston, Boise, Idaho, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-79.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-62 is issued.

(a) *What this order does.* This Order No. G-62 establishes maximum prices for a flower shovel manufactured by Flake and Johnston, a partnership, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-62, the maximum prices for the flower shovel manufactured by Flake and Johnston, a partnership, of 2908 North 26th, Boise, Idaho, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler: \$5.34 per dozen.

(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer: \$7.12 per dozen.

(3) When sold by any seller to an ultimate consumer or user: \$0.89 each.

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(2) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this

Order No. G-62 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale price or prices as set forth in paragraph (b) above.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-62 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-62 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-62 shall become effective on the 4th day of September 1945.

Issued this 4th day of September 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-17457; Filed, Sept. 18, 1945;
4:24 p. m.]

[Region VII Order G-63 Under MPR 188]

EARL A. HOWARD ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-63 under Maximum Price Regulation No. 188. Authorized maximum prices for match box holders manufactured by Earl A. Howard, Denver, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-118.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-63 is issued.

(a) *What this order does.* This Order No. G-63 establishes maximum prices for match box holders manufactured by Earl A. Howard, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this

Order No. G-63, the maximum prices for the match box holders, designated Model #1-A and Model #1-B respectively, manufactured by Earl A. Howard of 1386 Birch Street, Denver, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Model No. 1-A	Model No. 1-B
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler:	Per doz. \$1.03	Per doz. \$3.75
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer:	2.10	4.63
(3) When sold by any seller to an ultimate consumer or user:	.29 each	.65 each

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.
(2) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-63 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale price or prices as set forth in paragraph (b) above.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-63 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-63 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who makes sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-63 shall become effective on the 4th day of September 1945.

Issued this 4th day of September 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-17458; Filed, Sept. 18, 1945;
4:24 p. m.]

[Region VII Order G-64 Under MPR 188]

L. AND M. CARPENTER SHOP ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-64 under Maximum Price Regulation No. 188. Authorized maximum prices for a juvenile furniture set manufactured by L. and M. Carpenter Shop, Denver, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-158a-121.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-64 is issued.

(a) *What this order does.* This Order No. G-64 establishes maximum prices for a juvenile furniture set manufactured by L. and M. Carpenter Shop, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-64, the maximum prices for the juvenile furniture set consisting of a table and two chairs, designated "model No. 1," manufactured by L. and M. Carpenter Shop, a partnership, of 2004 East 28th Avenue, Denver, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per set
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	\$7.89
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer.....	10.25
(3) When sold by any seller to an ultimate consumer or user.....	16.95

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(1) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-64 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale prices or prices as set forth in paragraph (b) above.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-64 for sales by the manufacturer or any other seller. The authorized prices hereinabove set forth reflect the increases authorized by Order No. 1052 under Maximum Price Regulation No. 188, and, therefore, neither the manufacturer nor any reseller is permitted to add anything to such dollars and cents authorized prices by reason of said Order No. 1052.

(e) *Geographical applicability.* The maximum prices authorized by this Or-

der No. G-64 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-64 shall become effective on the 4th day of September 1945.

Issued this 4th day of September 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-17459; Filed, Sept. 18, 1945; 4:24 p. m.]

[Region VII Order G-65 Under MPR 188]

MARMAX-DENVER CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Region VII, Order No. G-65 Under Maximum Price Regulation No. 188. Authorized maximum prices for certain furniture items manufactured by Marmax-Denver Company, Denver, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-158a-120.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-65 is issued.

(a) *What this order does.* This Order No. G-65 established maximum prices for the specified items of furniture manufactured by Marmax-Denver Company, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-65, the maximum prices for the several items of furniture designated by the model numbers set forth below, manufactured by Marmax-Denver Company, a partnership, of 935 West First Avenue, Denver, Colorado, in accordance with the specifications set forth in the several applications of said manufacturer now on file in this Regional Office as part of the record in this case, shall be as follows:

PLAY OR DOLL CHESTS

	Model No. C-1	Model No. C-2
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	Each \$3.60	Each \$3.63
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer.....	4.50	4.60
(3) When sold by any seller to an ultimate consumer or user.....	7.46	7.63

CHILD'S SET, TABLE AND 2 STOOLS

	Model No. T-2C-105
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	Per set \$1.63
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer.....	6.85
(3) When sold by any seller to an ultimate consumer or user.....	9.76

PLAIN WOODEN STOOLS

	Model				
	S-293	S-260	S-240	S-130	S-105
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	Each \$0.90	Each \$0.86	Each \$0.81	Each \$0.67	Each \$0.62
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer.....	1.13	1.07	1.01	.71	.65
(3) When sold by any seller to an ultimate consumer or user.....	1.69	1.79	1.69	1.19	1.09

WOOD STOOLS WITH MASONITE SEATS

	Model C-293	Model C-260	Model C-240	Model C-130	Model C-105
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	Each \$1.20	Each \$1.16	Each \$1.10	Each \$0.72	Each \$0.67
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer.....	1.60	1.44	1.38	.90	.84
(3) When sold by any seller to an ultimate consumer or user.....	2.49	2.39	2.29	1.40	1.39

UPHOLSTERED PADDED STOOLS

	Model U-293	Model U-260	Model U-240	Model U-130	Model U-105
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	Each \$1.27	Each \$1.22	Each \$1.18	Each \$0.94	Each \$0.89
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer.....	1.69	1.63	1.47	1.17	1.11
(3) When sold by any seller to an ultimate consumer or user.....	2.65	2.55	2.45	1.95	1.85

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (3) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-65 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale price or prices as set forth in paragraph (b) above.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-65 for sales by the manufacturer or any other seller. The authorized prices hereinabove set forth reflect the increases authorized by Order No. 1052 under Maximum Price Regulation No. 188, and, therefore, neither the manufacturer nor any reseller is permitted to add anything to such dollars and cents authorized prices by reason of said Order No. 1052.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-65 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-65 shall become effective on the 4th day of September 1945.

Issued this 4th day of September 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-17460; Filed, Sept. 18, 1945;
4:23 p. m.]

[Region VII Order G-66 Under MPR 188]

CHARLES H. JORDAN ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-66 Under Maximum Price Regulation No. 188. Authorized maximum prices for certain toy items manufactured by Charles H. Jordan, Torrington, Wyoming, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-128.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-66 is issued.

(a) *What this order does.* This Order No. G-66 establishes maximum prices for certain toy items manufactured by Charles H. Jordan when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-66, the maximum prices for the toy items designated semi-trailer truck Model Nos. 1021 and 1022 and truck model No. 1011, manufactured by Charles H. Jordan of Torrington, Wyoming, in accordance with the specifications set forth in the applications of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Semi-trailer truck, Model No. 1021 tractor, Model No. 1022 trailer	Truck, Model No. 1011
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	Per dozen \$11.52	Per dozen \$8.69
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point to a retailer.....	14.49	10.09
(3) When sold by any seller to an ultimate consumer or user.....	2.00	1.00

Note: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-66 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale price or prices as set forth in paragraph (b) above.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-66 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-66 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons

who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-66 shall become effective on the 4th day of September 1945.

Issued this 4th day of September 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-17461; Filed, Sept. 18, 1945
4:23 p. m.]

[Region VII Order G-67 Under MPR 183]

COLORADO CRAFTWOOD CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-67 Under Maximum Price Regulation No. 188. Authorized maximum prices for florists easels manufactured by Carl L. Grupe, doing business as Colorado Craftwood Company, Denver, Colorado, when sold by the manufacturer and specified resellers. Docket No. 7-188-158-129.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-67 is issued.

(a) *What this order does.* This Order No. G-67 establishes maximum prices for certain florists easels manufactured by Carl L. Grupe, doing business as Colorado Craftwood Company, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-67, the maximum prices for the florists easels designated Model Nos. 38, 44, 50, 56, 62, and 74, respectively, manufactured by Carl L. Grupe, doing business as Colorado Craftwood Company, of 4535 West Thirty-third Avenue, Denver, Colorado, in accordance with the specifications set forth in the applications of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler:

Model No. 38: \$5.52 per dozen.
Model No. 44: \$6.72 per dozen.
Model No. 50: \$7.44 per dozen.
Model No. 56: \$8.52 per dozen.
Model No. 62: \$9.84 per dozen.
Model No. 74: \$11.28 per dozen.

(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to an industrial user:

Model No. 38: \$6.63 per dozen; 65¢ each.
Model No. 44: \$8.16 per dozen; 80¢ each.
Model No. 50: \$9.03 per dozen; 83¢ each.

Model No. 56: \$10.30 per dozen; \$1.00 each.
Model No. 62: \$11.93 per dozen; \$1.15 each.
Model No. 74: \$14.67 per dozen; \$1.35 each.

NOTE: (1) The above authorized maximum prices are subject to a discount of 2% for payment within 10 days from date of invoice, when sold in lots of one dozen or more.

(2) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing, and carting.

(c) Notice to be given purchasers for resale. When the manufacturer or any other seller makes a first sale under this Order No. G-67 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable resale price or prices as set forth in paragraph (b) above.

(d) Applicability of other regulations. The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-67 for sales by the manufacturer or any other seller.

(e) Geographical applicability. The maximum prices authorized by this Order No. G-67 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) Right to revoke or amend. This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-67 shall become effective on the 4th day of September 1945.

Issued this 4th day of September 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-17462; Filed, Sept. 18, 1945;
4:23 p. m.]

[Region VIII Order G-8 Under RMPR 165]

DRYING PRUNES IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.676 (a) of Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation

No. 165, as amended, It is hereby ordered:

(a) The maximum prices that independent contractors may charge for drying prunes are as follows:

French prunes: 2½¢ per pound dry weight.
Italian prunes: 2¾¢ per pound dry weight.

(b) The above rates cover all operations necessary for adequate dehydration of the prunes preparatory to further processing. The drying operation begins when the prunes are delivered to the dryer and is complete when the prunes are dehydrated and sacked ready for shipment to a processing plant.

(c) This order shall apply to Douglas County, Oregon.

(d) This order may be revoked or amended at any time.

(e) This order shall become effective September 1, 1945, and shall expire December 1, 1945.

Issued this 30th day of August 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-17455; Filed, Sept. 18, 1945;
4:22 p. m.]

[Region II Order G-32 Under RMPR 122,
Amdt. 2]

PENNSYLVANIA ANTHRACITE IN UNION COUNTY AND SOMERSET COUNTY, N. J.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-32 is amended in the following respects:

1. Paragraph (d) (1), (d) (2), and (d) (3) are amended to read as follows:

(1) Sales on a "direct delivery" basis. For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for less than ¼ ton
Broken, egg, stove, nut.....	\$15.10	\$8.05	\$4.15	\$0.90
Pea.....	13.40	7.20	3.70	.80
Buckwheat.....	10.75	5.90	3.05	-----
Rice.....	9.90	5.45	2.85	-----
Barley.....	8.65	4.85	2.55	-----
Screenings.....	5.75	-----	-----	-----

(2) "Yard sales". For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton
Broken, egg, stove, nut.....	\$13.60	\$0.80
Pea.....	11.90	.70
Buckwheat.....	9.25	-----
Rice.....	8.40	-----
Barley.....	7.15	-----
Screenings.....	4.75	-----

(3) "Sales of bagged coal" (maximum price per bag).

Maximum prices per 40 pound paper bag				
Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer in lots of ½ ton or more	Sales to ultimate consumer in quantities under ½ ton
Nut.....	\$0.395	\$0.445	\$0.445	\$0.495
Pea.....	.34	.39	.39	.44

Maximum prices per 25 pound paper bag			
Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	\$0.20	\$0.22	\$0.27

Maximum prices per 12 pound paper bag			
Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	\$0.10	\$0.11	\$0.13

This Amendment No. 2 to Order No. G-32 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 17th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-17543; Filed, Sept. 19, 1945;
2:53 p. m.]

[Region II Order G-35 Under MPR 122,
Amdt. 2]

PENNSYLVANIA ANTHRACITE IN LACKAWANNA AND LUZERNE COUNTIES, PA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G-35 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(1) For delivered sales in Lackawanna County (by dealers):

Size:	Maximum prices per net ton
Broken, egg, stove, nut.....	\$10.10
Pea.....	8.40
Buckwheat.....	6.40
Rice.....	5.50
Barley.....	4.25

(2) For delivered sales in Luzerne County (by dealers):

Size:	Maximum prices per net ton
Broken, egg, stove, nut.....	\$9.85
Pea.....	8.15
Buckwheat.....	6.15
Rice.....	5.25
Barley.....	4.00

This Amendment No. 2 to Order No. G-35 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-17542; Filed, Sept. 19, 1945;
2:53 p. m.]

[Region II Order G-38 Under RMPR 122,
Amdt. 2]

PENNSYLVANIA ANTHRACITE IN BROOME
COUNTY, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-38 is amended in the following respects:

1. Paragraph (d) (1) is amended to read as follows:

(1) *Sales on a "direct delivery" basis.* For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut.....	\$13.75	\$7.10	\$3.80	\$0.90	\$0.475
Pea.....	12.20	6.30	3.40	.80	.42
Buckwheat.....	9.70	5.05	2.80	.70	
Rice.....	8.70	4.55	2.55	.65	
Barley.....	7.45	3.95	2.25		
Screenings.....	4.25	2.15			

2. Paragraph (d) (2) is amended to read as follows:

(2) *"Yard sales."* For sales of anthracite of the sizes and in the quantities specified to dealers and consumers:

Size	Per net ton for sales of ¼ ton or more to—		Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton	Per 50 lb. paper bag
	Dealers	Consumers		
Broken, egg, stove, nut.....	\$12.25	\$13.15	\$0.80	\$0.425
Pea.....	10.70	11.60	.70	.37
Buckwheat.....	8.25	9.15	.60	
Rice.....	7.20	8.10	.55	
Barley.....	5.95	6.85		
Screenings.....	3.25	3.25		

This Amendment No. 2 to Order No. G-38 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-17541; Filed, Sept. 19, 1945;
2:52 p. m.]

[Region II Order G-59 Under RMPR 122,
Amdt. 1]

PENNSYLVANIA ANTHRACITE IN WASHINGTON, FREDERICK, AND MONTGOMERY COUNTIES, Md.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-59 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended to read as follows:

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton
Broken, egg, stove, nut.....	\$14.05	\$7.60	\$0.93
Pea.....	12.85	6.70	.83
Buckwheat.....	10.95	5.75	.70
Rice.....	9.85	5.29	
Screenings.....	4.25	2.15	

(2) *"Yard sales."* For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers:

Size	Per net ton for sales of ½ ton or more to—		Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton
	Dealers for resale	Consumers	
Broken, egg, stove, nut.....	\$13.15	\$13.05	\$0.83
Pea.....	11.35	11.85	.70
Buckwheat.....	9.45	9.65	.60
Rice.....	8.25	8.25	
Screenings.....	3.25	3.25	

2. Paragraphs (e) (1) and (e) (2) are amended to read as follows:

(1) *Sales on a "direct delivery" basis.* For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton
Broken, egg, stove, nut.....	\$14.32	\$7.61	\$0.90
Pea.....	12.52	6.70	.89
Buckwheat.....	10.33	5.67	.70
Rice.....	9.47	5.24	

(2) *"Yard sales."* For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers:

Size	Per net ton for sales of ½ ton or more to—		Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton
	Dealers for resale	Consumers	
Broken, egg, stove, nut.....	\$12.04	\$13.43	\$0.80
Pea.....	10.25	11.62	.70
Buckwheat.....	8.00	9.43	.60
Rice.....	7.23	8.23	

This Amendment No. 1 to Order No. G-59 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-17540; Filed, Sept. 19, 1945;
2:52 p. m.]

[Region II Order G-61 Under RMPR 122,
Amdt. 1]

PENNSYLVANIA ANTHRACITE IN YONKERS, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-61 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended to read as follows:

(1) *Sales on a "direct delivery" basis.* For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than ¼ ton	Per 50 lb. bag
Broken, egg, stove, nut.....	\$15.25	\$7.60	\$4.05	\$0.95	\$0.525
Pea.....	13.75	7.05	3.65	.85	.47
Buckwheat.....	10.75	5.65	2.65	.75	.42
Rice.....	9.85	5.20	2.70	.70	.37
Barley.....	8.60	4.55	2.40		
Screenings.....	4.75	2.40			

(2) *"Yard sales."* For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton	Per 50 lb. bag
Broken, egg, stove, nut.....	\$13.25	\$0.85	\$0.475
Pea.....	11.80	.75	.42
Buckwheat.....	9.60	.65	.37
Rice.....	8.60	.60	.32
Barley.....	7.35		
Screenings.....	3.75		

This Amendment No. 1 to Order No. G-61 shall become effective as of June 18, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of August 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-17539; Filed, Sept. 19, 1945;
2:51 p. m.]

[Region II Order G-65 Under RMPR 122, Revocation]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-65 is hereby revoked.

This order of revocation of Order No. G-65 shall become effective September 5, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 6th, 1945.

LEO F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 45-17538; Filed, Sept. 19, 1945; 2:51 p. m.]

[Region V Order G-3 Under RMPR 122, Amdt. 6]

SOLID FUELS IN TOPEKA, KANS., AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the Opinion issued simultaneously herewith, *It is ordered:* That Order No. G-3 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended as follows:

1. Paragraph (c), *Price schedule* (1), is amended to read as follows:

(c) *Price schedule.* (1) Below and a part of this section is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels.

Description of fuel	Maximum price per ton	
	Strip mines	Underground mines
I. High volatile bituminous coal from district 10 (Illinois)		
(A) Coals from machine loading mines in the Southern Subdistrict (Price Groups 1, 2 and 8):		
(1) Lump; egg (bottom size larger than 2"); size groups 1, 2 and 3	\$9.90	
(2) Egg or nut (top size 3" to larger than 2"; bottom size 2" to larger than 1 1/4")	9.30	
	Produced at—	
	Strip mines	Underground mines
III. High volatile bituminous coal from district 15 (Missouri, Kansas and Oklahoma)		
(A) Production group 1: From mines in Cherokee, Crawford, Bourbon, and Labette Counties, Kansas; and Barton, Jasper, Dade, Cedar and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")	\$7.97	\$8.85
(2) Fancy nut (top size 3" to larger than 2"; bottom size larger than 1 1/4")	7.67	8.25

Description of fuel	Maximum price per ton Produced at—	
	Strip mines	Underground mines
III. High volatile bituminous coal from district 15—Con.		
(A) Production group 1—Con.		
(3) Standard nut (top size 3" to larger than 2"; bottom size 1 1/4" and smaller)	7.32	\$3.00
(4) No. 2 nut (double screened coal—top size 2" to larger than 1 1/4"):		
Washed	7.27	
Raw		7.80
(5) Stoker (top size 1 1/4" and smaller; bottom size 3/8" to larger than 1/4")	6.32	6.93
(6) Screenings, washed (1 1/4" x 0)	5.77	
(B) Production group 2: From mines in Linn County, Kansas; Bates, Henry, St. Clair, and that portion of Vernon County lying North of an east and west line drawn through the town of Nevada, Missouri:		
(1) Lump; egg, (top size larger than 3"; bottom size larger than 1 1/4")	7.42	
(2) Fancy nut (top size 3" to larger than 2"; bottom size larger than 1 1/4")	7.37	
(C) Production group 3: From mines in Macon and Randolph Counties, Missouri:		
(1) Stoker, (top size 1 1/4" and smaller; bottom size 3/8" to larger than 1/4")	6.17	
(2) Screenings (1 1/4" x 0)	5.67	
(D) Production group 6: From mines in Osage, Franklin, Lyon and Coffey Counties, Kansas:		
(1) Lump; Egg, (Top size larger than 3"; bottom size larger than 1 1/4")	6.92	8.45
(E) Production group 7: Genuine McAlester seam coal from mines in Latimer and Pittsburg Counties, Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")	12.17	13.50
(2) Standard nut (top size 3" to larger than 2"; bottom size 1 1/4" and smaller)	10.02	11.00
(F) Production group 9: From mines in Coal County, Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")	11.42	12.70
(2) Standard nut (top size 3" to larger than 2"; bottom size 1 1/4" and smaller)	9.52	10.50
(3) Chestnut (top size 1 1/4" and smaller; bottom size larger than 3/8")	8.12	9.25
(G) Production group 10: From mines in McIntosh and Okmulgee Counties, Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		11.20
(2) Standard nut (top size 3" to larger than 2"; bottom size 1 1/4" and smaller)		9.40
(3) Special stoker (top size 1 1/4" and smaller; bottom size 3/8" to larger than 1/4")		7.90
(H) Production group 11: From mines in Craig, Roger, Tulsa, and Wagoner Counties, Oklahoma, and that part of Muskogee County, Oklahoma, lying north of a line drawn straight east and west across Muskogee County along the Southern limits of the Town of Porum, Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")	8.72	
(2) Standard nut (top size 3" to larger than 2"; bottom size 1 1/4" and smaller)	8.07	
(3) Special stoker (top size 1 1/4" and smaller; bottom size 3/8" to larger than 1/4")	6.97	
IV. High volatile bituminous coal from district 17 (Colorado)		
(A) Subdistrict No. 2:		
(1) Lump (bottom size 3" to larger than 1 1/4")		14.55
(2) Nut (top size 3" to larger than 1 1/4"; bottom size 1 1/4" to larger than 1")		13.45

Supplementary Order No. 2 issued by the Regional Administrator August 14, 1945, insofar as said Supplementary Order No. 2 affects Order G-3, is hereby revoked.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 13th day of September 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-17537; Filed, Sept. 19, 1945; 2:51 p. m.]

[Region VIII Order G-1 Under RMPR 259]

BASE DELIVERY ZONES IN NORTHERN CALIFORNIA

For the reasons set forth in an accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by section 4.1 (c) of Revised Maximum Price Regulation 259, *It is hereby ordered:*

(a) The "base delivery zone" with respect to any "wholesaler" within the following counties of California shall be the warehouse or customary receiving point of such wholesaler: Butte, Colusa, Del Norte, Eldorado, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Tehama, Trinity, and Yolo.

(b) The terms "base delivery zone" and "wholesaler" shall have the meanings given such terms in Revised Maximum Price Regulation 259.

(c) This order shall become effective immediately.

(d) This order may be amended, corrected or revoked at any time.

Issued this 7th day of September 1945.

GUY R. KINSLEY,
Acting Regional Administrator.

[F. R. Doc. 45-17533; Filed, Sept. 19, 1945; 2:50 p. m.]

[Region VIII Order G-3 Under MPR 329, Amdt. 13]

FLUID MILK IN SONOMA AND MARIN COUNTIES, CALIF.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1351.408 (b) of Maximum Price Regulation No. 329 as amended, Order No. G-3 under Maximum Price Regulation No. 329 is hereby amended by adding a new paragraph (c) to read as follows:

(c) Notwithstanding any of the foregoing provisions of this order, any purchaser may pay to any producer whose dairy is located in Sonoma County or in Marin County (other than in that portion of Marin County lying east of State Highway No. 1 and south of the Point Reyes-Novato Highway or within 1/2 mile thereof) a permitted addition to the maximum prices specified in paragraphs (a) and (b) of this order, provided the following conditions are met:

(1) The permitted addition must be paid before November 1, 1945.

(2) The amount of the permitted addition, when added to any other sum

paid by the purchaser to the producer, including certificates of indebtedness, with respect to milk delivered between July 1, 1944, and June 30, 1945, inclusive, shall not exceed \$0.03 for each pound of milk fat purchased from that producer during such period.

This amendment shall become effective September 15, 1945.

Issued this 7th day of September 1945.

GUY R. KINSLEY,
Acting Regional Administrator.

Approved:

ALLEN D. HURLEY,
Acting Officer in Charge, Dairy
Branch, Western Region, Pro-
duction and Marketing Ad-
ministration, United States
Dept. of Agriculture.

[F. R. Doc. 45-17532; Filed, Sept. 19, 1945;
2:50 p. m.]

[Region VIII Order G-5 Under Supp. Service
Reg. 43 to RMPR 165]

CUSTOM PROCESSING AND GRADING OF EGGS IN SAN FRANCISCO REGION

An opinion accompanying this amend-
ment has been issued simultaneously
herewith.

Order No. G-5 under Supplementary
Service Regulation No. 43 to Revised
Maximum Price Regulation No. 165 is
amended in the following respects:

1. The paragraph establishing the ef-
fective date is hereby amended to read
as follows:

This order shall become effective June
10, 1945, and shall remain effective until
December 7, 1945.

This amendment to Order No. G-5
shall become effective September 8, 1945.

Issued this 6th day of September 1945.

GUY R. KINSLEY,
Acting Regional Administrator.

[F. R. Doc. 45-17535; Filed, Sept. 19, 1945;
2:50 p. m.]

[Region VIII Order G-9 Under Supp. Service
Reg. 43 to RMPR 165]

PICKING AND GRADING POTATOES IN SAN FRANCISCO REGION

For the reasons set forth in an opinion
issued simultaneously herewith, and
under the authority vested in the Re-
gional Administrator of the Office of
Price Administration by § 1499.676 (a) of
Supplementary Service Regulation No.
43 to Revised Maximum Price Regula-
tion No. 165, as amended, *it is hereby
ordered:*

(a) The maximum prices that inde-
pendent contractors may charge for serv-
ices in connection with picking and grad-
ing potatoes are as follows:

(i) Contract picking in the field, 5½¢
per 60 pound sack.

(ii) Grading and sorting.

(a) Grading of U. S. No. 1's and U. S.
No. 2's, Dehydrated percentage grades
and Blue Tag grades of Certified Seed
potatoes, when sorted at cellar and

No. 188—7

loaded on trucks or when sorted at ware-
house on railroad and loaded in car, po-
tatoes delivered to warehouse by grower,
18¢ per cwt.

(b) Sorting all grades of Red Tag
potato seed when sorted at cellar and
loaded on trucks or when sorted at ware-
house on railroad and loaded in car,
potatoes delivered to warehouse by
grower, 15¢ per cwt.

(b) The contractor shall recruit and
supervise workers, and provide trans-
portation and equipment normally sup-
plied by contractors.

(c) This order shall apply in Klamath
County, Oregon and to the Tule Lake
Area of Modoc and Siskiyou Counties
California.

(d) This order may be revoked or
amended at any time.

(e) This order shall become effective
September 15, 1945, and shall expire De-
cember 15, 1945.

Issued this 7th day of September 1945.

GUY R. KINSLEY,
Acting Regional Administrator.

[F. R. Doc. 45-17534; Filed, Sept. 19, 1945;
2:50 p. m.]

[Region VIII Order G-12 Under MPR 323,
Amdt. 11]

FLUID MILK IN SAN FRANCISCO REGION

An opinion accompanying this amend-
ment has been issued simultaneously
herewith.

Order No. G-12 under Maximum Price
Regulation No. 329 is amended in the
following respects:

1. Paragraph (a) (1) is amended by
striking therefrom the words "Douglas
County" and the accompanying maxi-
mum prices, and substituting therefor
the following:

Douglas County—except the city of
Roseburg..... \$0.85
The city of Roseburg..... .92

This amendment to Order No. G-12
shall become effective September 11, 1945.

Issued this 11th day of September 1945.

GUY R. KINSLEY,
Acting Regional Administrator.

Approved:

ALLEN D. HURLEY,
Acting Officer in Charge, Dairy
Branch, Western Region, Pro-
duction and Marketing Ad-
ministration, United States
Department of Agriculture.

[F. R. Doc. 45-17531; Filed, Sept. 19, 1945;
2:49 p. m.]

[Region VIII Order G-36 Under 3 (c)]

MERRILL ENGINEERING LABORATORIES AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opin-
ion issued simultaneously herewith, and
under the authority vested in the Re-
gional Administrator of the Office of
Price Administration by § 1499.3 (e) (2)
of the General Maximum Price Regula-
tion; *it is hereby ordered:*

(a) The maximum prices for sales to
wholesalers, to retailers and at retail of
certain gun thongs hereinafter more
fully described, manufactured by the
Merrill Engineering Laboratories of 1230-
40 Lincoln Street, Denver, Colorado, by
sellers subject to the General Maximum
Price Regulation who cannot determine
their maximum prices under § 1499.2 of
the General Maximum Price Regulation,
shall be as follows:

Item	Maximum price to—		Retail
	Whol- salers	Retail- ers	
Gun thong, 32" line comp- rised of steel ends 1½" diameter, 6" long.....	Per doz. \$1.60	Per doz. \$2.60	Each \$0.25

(b) The above prices shall include
discounts, allowances, and price differ-
entials no less favorable than those cus-
tomarily granted by the seller; the terms
to dealers shall be 2%, 10 days, f. o. b.
shipping point.

(c) This order shall apply to sales in
the States of California, Washington,
Nevada, Oregon, except Malheur County,
and Arizona, except those portions of
Coconino County and Mohave County
lying north of the Colorado River, and
the following counties in the State of
Idaho: Benewah, Bonner, Boundary,
Clearwater, Kootenai, Latah, Lewis, Nez
Perce, Shoshone and Idaho.

(d) This order shall be subject to revo-
cation or amendment at any time here-
after either by special order or by any
price regulation issued hereafter or by
any supplement or amendment hereafter
issued as to any price regulation, the
provisions of which may be contrary
hereto.

This order shall become effective Sep-
tember 15, 1945.

Issued this 7th day of September 1945.

GUY R. KINSLEY,
Acting Regional Administrator.

[F. R. Doc. 45-17530; Filed, Sept. 19, 1945;
2:49 p. m.]

SECURITIES AND EXCHANGE COM- MISSION.

[File No. 70-856]

UNITED UTILITIES, INC., AND CENTRAL GAS UTILITIES CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities
and Exchange Commission, held at its
office in the City of Philadelphia, Pa.,
on the 12th day of September, A. D.,
1945.

A declaration and amendments there-
to having been filed by United Utilities,
Incorporated, a registered holding com-
pany, and The Central Gas Utilities
Company, its wholly-owned subsidiary,
seeking approval of the sale to Reece E.
McGee or to his nominee, Kansas-Colo-
rado Utilities, Inc., of a portion of the
utility assets of The Central Gas Utili-

ties Company pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and of the use of the proceeds of said sale by The Central Gas Utilities Company to pay its indebtedness in the amount of \$349,000 owing to United Utilities, Incorporated and to redeem a portion of its capital stock owned by United Utilities, Incorporated; and

An application and amendments thereto having been filed by United Utilities, Incorporated, a subsidiary of the Voting Trustees under Voting Trust Agreement of United Utilities, Incorporated, also a registered holding company, pursuant to section 3 (a) (1) of the Holding Company Act of 1935, requesting an order, upon consummation of the aforementioned sale, exempting United Utilities, Incorporated, and every subsidiary thereof as such from all of the provisions of the act; and

The acquisition by Kansas-Colorado Utilities, Inc. of the utility plant and related assets comprising the Western Division of The Central Gas Utilities Company having been authorized by the State Corporation Commission of Kansas, the Public Utilities Commission of Colorado and the Federal Power Commission; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said declaration be, and hereby is, permitted to become effective with respect to said sale and the use of the proceeds therefrom, subject to the terms and conditions prescribed in Rule U-24; and

It is further ordered, That jurisdiction be and is hereby reserved with respect to the application of United Utilities, Incorporated pursuant to section 3 (a) (1) for an order exempting it and every subsidiary thereof as such from all of the provisions of the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-17583; Filed, Sept. 20, 1945;
11:20 a. m.]

[File No. 70-1142]

PUBLIC SERVICE CORP. OF N. J. AND PUBLIC
SERVICE COORDINATED TRANSPORT

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of September, 1945.

Notice is hereby given that a joint application or declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Public Service Corporation of New Jersey (Public Service), a holding company and a subsidiary of The United Corporation, a registered holding company, and by Public Service's non-utility subsidiary, Public Service Coordinated Transport (Transport).

Notice is further given that any interested person may, not later than October 1, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint application or declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint application or declaration, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Public Service proposes to sell \$500,000 principal amount of Transport's 4% Series, First and Refunding Mortgage Bonds, due 1990, to the Trustee under Transport's mortgage, for a cash consideration of \$500,000 plus accrued interest to the date of delivery. It is stated that the price of \$500,000 represents cost to Public Service for such bonds. The Trustee proposes to purchase said bonds with \$500,000 which, pursuant to the terms of the indenture securing the bonds, was the amount deposited with the Trustee on April 1, 1945 as and for a fund for the purchase and retirement of Transport's outstanding bonds. The Plan of Reorganization of Transport dated November 2, 1939 provides that Public Service will not tender to the Trustee any of the bonds of Transport held by it until at least five months after receipt of purchase fund money by the Trustee. According to the declarants, over five months have elapsed since the deposit of the purchase fund money by Transport with the Trustee and although the Trustee caused to be published notice requesting tenders, no tenders have been received from the public.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-17580; Filed, Sept. 20, 1945;
11:20 a. m.]

[File No. 70-1143]

PUBLIC SERVICE COMPANY OF OKLAHOMA
ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of September, A. D. 1945.

Public Service Company of Oklahoma (Public Service), a public utility subsidiary of Central and South West Utilities Company, a registered holding company, which is in turn a subsidiary of The Mid-

dle West Corporation, also a registered holding company, having filed applications and declarations pursuant to The Public Utility Holding Company Act of 1935, particularly sections 6, 7 and 12 thereof, with respect to the transactions which are summarized as follows:

1. Public Service proposes to issue and sell at competitive bidding, pursuant to the requirements of Rule U-50, \$22,500,000 principal amount of First Mortgage Bonds, Series A, to mature July 1, 1975, and 98,500 shares of Cumulative Preferred Stock of the par value of \$100 per share. The interest rate on the bonds and the dividend rate on the preferred stock, as well as the prices to Public Service for these securities, are to be determined by competitive bidding.

2. Public Service proposes to use the proceeds from the sale of the bonds and preferred stock, together with other cash as required, for the redemption of its outstanding bonds and preferred stock;

3. The offering of preferred stock is subject to an exchange offer whereby the holders of the outstanding 5% preferred stock of Public Service may exchange the same for the new stock on a share for share basis with a cash adjustment for the difference between the redemption price of the 5% preferred stock and the public offering price of the new preferred stock.

Public Service having proposed to solicit proxies in connection with a special meeting of the stockholders of the company to be held on or about October 22, 1945, to vote upon the proposed bond issue and matters related thereto; and having filed copies of the proxy, the proposed notice of the special meeting of the stockholders and proxy statement; and

Public Service having requested that the declaration with respect to the proxy solicitation material be considered and disposed of independently of the principal transactions and that the Commission enter its separate order permitting said declaration as to all such proxy solicitation material to become effective; and

It appearing that the solicitation of authorizations of stockholders, as proposed to be conducted, does not make it necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the act or the rules and regulations thereunder that the Commission issue any order with respect thereto other than an order permitting the declaration as to such solicitation to become effective;

It is therefore ordered, That, without passing upon the merits of the applications or declarations filed pursuant to sections 6, 7 and 12, the declaration as to solicitation of authorizations be and it is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-17581; Filed, Sept. 20, 1945;
11:20 a. m.]

[File No. 70-1148]

NORTHERN STATES POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of September, 1945.

Notice is hereby given that an application or declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly sections 6 and 7 and Rule U-50 promulgated thereunder, by Northern States Power Company (Minnesota) (hereinafter referred to as Northern States), a public utility subsidiary of Northern States Power Company (Delaware), a registered holding company.

All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Northern States proposes to issue and sell, pursuant to the competitive bidding provisions of Rule U-50, \$75,000,000 principal amount of First Mortgage Bonds, Series due October 1, 1975. Each proposal for the purchase of the bonds shall specify (a) the coupon rate which shall be a multiple of $\frac{1}{8}$ of 1% and (b) the price to be paid to Northern States for the bonds which shall be not less than the principal amount nor more than 102.75% of the principal amount. The proceeds of said sale together with the general funds of Northern States, to the extent required, are proposed to be applied by Northern States to redeem the \$75,000,000 principal amount of its First and Refunding Mortgage Bonds, $3\frac{1}{2}$ % Series, due February 1, 1967, at the redemption price of \$78,187,500 (104 $\frac{1}{4}$ % of the principal amount thereof) plus accrued interest.

The bonds will be issued under and secured by a Trust Indenture from Northern States to Harris Trust and Savings Bank as Trustee, dated February 1, 1937 as supplemented by Supplemental Trust Indenture, dated June 1, 1942, and February 1, 1944, and a Supplemental Trust Indenture, dated as of October 1, 1945, mortgaging as security for the payment of the bonds substantially all of the properties of Northern States.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application or declaration and that said application or declaration shall not be granted or permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on October 2, 1945, at 10:00 a. m., e. s. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing.

The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve by registered mail copies of this order on the Federal Power Commission, the Public Service Commission of North Dakota, the Railroad and Warehouse Commission of Minnesota, the Public Utilities Commission of South Dakota, and on the applicant-declarant herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or otherwise wishing to participate herein, shall file with the Secretary of the Commission, on or before September 28, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue of mortgage bonds is reasonably adapted to the earning power and the security structure of Northern States and is necessary and appropriate to the economical and efficient operation of the businesses in which Northern States is presently engaged.

(2) Whether the fees, commissions, or other remunerations to be paid in connection with the issue, sale or distribution of said securities are reasonable.

(3) Whether State laws regarding the proposed issue of mortgage bonds have been complied with.

(4) Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform to sound principles of accounting and meet the standards of the act.

(5) Whether the terms and conditions of the issue of said securities are detrimental to the public interest or the interests of investors or consumers.

(6) Generally whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

(7) Whether in the event the application or declaration shall be granted or permitted to become effective, it is necessary to impose any terms or conditions to assure compliance with the standards of the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-17582; Filed, Sept. 20, 1945;
11:29 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4482, 4483,

and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 475, 481, 489, 367), and Executive Order 9033, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

LIFE PRESERVER

Model No. 2, adult kapok life preserver, recovered by Sinclair and Valentine Company, 611 West 123th Street, New York 27, and 4491, as amended, 49 Stat. 1544 (46 New York).

Dated: September 19, 1945.

R. R. WAESCHE,
Admiral, U. S. C. G.,
Commandant.

[F. R. Doc. 45-17623; Filed, Sept. 20, 1945;
11:51 a. m.]

WAR PRODUCTION BOARD.

[Certificate 8, Revocation]

RECOMMENDATION OF PETROLEUM
COORDINATOR FOR WAR

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated August 7, 1942, concerning Recommendation No. 48 of the Petroleum Coordinator for War.

Dated: September 15, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-17514; Filed, Sept. 19, 1945;
11:35 a. m.]

[Certificate 9, Revocation]

RECOMMENDATION OF PETROLEUM COORDI-
NATOR FOR WAR

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated August 7, 1942, concerning Recommendation No. 41 of the Petroleum Coordinator for War.

Dated: September 15, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-17515; Filed, Sept. 19, 1945;
11:35 a. m.]

[Certificate 13, Revocation]

ORDNANCE DEPARTMENT INDUSTRY INTE-
GRATION COMMITTEES

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated September 7, 1942, concerning a program of the Ordnance Department for the formation and functioning of Ordnance Department Industry Integration Committees.

Dated: September 15, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-17516; Filed, Sept. 19, 1945;
11:35 a. m.]

[Certificate 21, Revocation]

RECOMMENDATION OF PETROLEUM COORDINATOR FOR WAR

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated November 2, 1942, concerning Recommendation No. 55 of the Petroleum Coordinator for War.

Dated: September 15, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-17517; Filed, Sept. 19, 1945;
11:35 a. m.]

[Certificate 86, Revocation]

TAXI SERVICES

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated July 1, 1943, concerning General Order ODT 20A issued by the Director of the Office of Defense Transportation.

Dated: September 17, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-17518; Filed, Sept. 19, 1945;
11:35 a. m.]

[Certificate 154, Revocation]

DIRECTIVE OF PETROLEUM COORDINATOR FOR WAR

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and

finding dated October 29, 1943, concerning Petroleum Directive 76 of the Petroleum Administration for War.

Dated: September 15, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-17519; Filed, Sept. 19, 1945;
11:35 a. m.]

[Certificate 201, Revocation]

SHELL DEVELOPMENT CO. ET AL.

PROPOSAL FOR CROSS LICENSE AND LICENSING AGREEMENT

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated April 14, 1944, concerning a proposal for a cross license and licensing agreement in connection with catalytic refining, between Shell Development Company, Standard Oil Development Company, Texaco Development Corporation, Standard Oil Company (Indiana), Universal Oil Products Company, and the M. W. Kellogg Company.

Dated: September 15, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-17520; Filed, Sept. 19, 1945;
11:35 a. m.]

[C-419]

JOURNAL-NEWS CORPORATION

CONSENT ORDER

Journal-News Corporation is a newspaper publisher with offices at 77-79 Bowery, New York City, publishing Jewish Journal and Daily News and The

Jewish American Family Magazine and Gazette in New York City and Philadelphia Jewish Morning Journal and Daily News in Philadelphia, Pennsylvania. During the years 1943 and 1944 and the first quarter of the year 1945, Journal-News Corporation used newsprint in excess of the quota which it was permitted to use during the said period, under the provisions of Limitation Order L-240, and in violation thereof. This excessive use of newsprint has diverted a scarce and critical material to a use not authorized by the War Production Board. Journal-News Corporation admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Journal-News Corporation, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered, That:*

(a) Journal-News Corporation, its successors or assigns, shall reduce its use of newsprint in the printing and publishing of newspapers under its quota as established pursuant to Limitation Order L-240, by 40 tons of newsprint during the third and fourth quarters of the year 1945.

(b) Nothing contained in this order shall be deemed to relieve Journal-News Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 20th day of September 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 45-17588; Filed, Sept. 20, 1945;
11:36 a. m.]